



Complete : Rs. 19.80

Rs. 5.40

Punjab Government Gazette

Published by Authority

No. 19] CHANDIGARH, FRIDAY, MAY 12, 2017 (VAISAKHA 22, 1939 SAKA)

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PART I

DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(JUDICIAL-1 BRANCH)

NOTIFICATION

The 4th May, 2017

No. 1/52/13-3Judl.(1)/527.—On the recommendations of Hon'ble Punjab and Haryana High Court, Chandigarh, conveyed by its Registrar General, *vide* letter No.326 Gaz.I/VI.F.8 dated 21.4.2017, the Governor of Punjab is pleased to appoint the following officers as Additional District & Sessions Judge by promotion,

under rule 7(3)(a) of the Punjab Superior Judicial Service Rules, 2007, in the State of Punjab:-

Sr.No.	Name of the Officer with designation
1.	Sh. Kuldip Singh Cheema, Civil Judge (Sr.Divn.), Mansa
2.	Sh. Jatinder Pal Singh, Civil Judge (Sr.Divn.), Fazilka
3.	Ms. Kiran Bala, Civil Judge (Sr.Divn.), Faridkot
4.	Sh. Paramjit Kaur, Civil Judge (Sr.Divn.), Rupnagar.
5.	Sh. Ranjeev Kumar Vishisht, Civil Judge (Sr.Divn.), Tarn Taran.
6.	Sh. Girish, Civil Judge/CJM, Secretary, District Legal Services Authority, Amritsar.
7.	Ms. Manjinder, Civil Judge, (Sr.Divn.), Kapurthala.

The promotions of the above said 07 officers are subject to the rights of their seniors and subject to receipt of Annual Confidential Reports of some of the officers and further subject to the approval of such reports by the Hon'ble Full Court.

N.S. KALSI

Additional Chief Secretary to Govt. of Punjab,
Department of Home Affairs and Justice.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HOUSING –I BRANCH)

NOTIFICATION

The 4th May, 2017

No. 6/11/2012-6HG1/969096/1.- Whereas the land acquisition proceedings were initiated *vide* notification no. 6/11/2012/6HG1/2494 dated 22.08.2013 issued under section 4 and notification no. 6/11/2012-6HG1/713 dated 05.09.2014 issued under section 6 of the Land Acquisition Act, 1894 read with sub section (I) of section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 for acquisition of land measuring 94.512 Acres (756 Kanal-2 Marlas) falling in the revenue estate of Village Jandpur (Hadbast no. 28) Tehsil Kharar District S.A.S. Nagar for the public purpose of **setting up of Water Treatment Plant in Sector 124, S.A.S. Nagar** in accordance with the duly notified Master Plan of S.A.S. Nagar.

Whereas after reconsideration, the Government of Punjab came to the conclusion that alternative land of the Gram Panchayat, Sinhpur be purchased after negotiation with the said Gram Panchayat. Accordingly, alternative land measuring 35.4438 Acres (283 Kanala-11 Marlas) falling in Village Sinhpur (Hadbast no. 176) Tehsil Mohali District S.A.S. Nagar has been purchased by the Government of Punjab, Department of Housing & Urban Development *vide* Sale Deed (Vasika No. 680 dated 03.05.2016) registered with the office of Sub Registrar, S.A.S. Nagar, for the public purpose of setting up of Water Treatment Plant at S.A.S. Nagar. Hence, 94.512 acres of land of Village Jandpur (Hadbast no. 28) Tehsil Kharar, District S.A.S. Nagar is no more required for this public purpose.

And whereas, the Land Acquisition Act, 1894 has since been repealed by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013, and further action is to be taken under the new Act of 2013.

Now, therefore, in exercise of powers conferred under section 93 (1) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013, the Governor of Punjab is pleased to withdraw the land acquisition proceeding of 94.512 Acres (756 Kanal-2 Marlas) of land of Village Jandpur (Hadbast no. 28) Tehsil Kharar District S.A.S. Nagar initiated *vide* notification no.6/11/2012/6Hg1/2494 dated 22.08.2013 and notification no.6/11/2012-6HG1/713 dated 05.09.014, as mentioned *supra*.

VINI MAHAJAN, IAS

Chandigarh
The 28th April, 2017

Additional Chief Secretary to Govt. of Punjab,
Department of Housing & Urban Development.

DEPARTMENT OF SCHOOL EDUCATION

NOTIFICATION

The 12th April, 2017

No. 1/08/2010-4edu3/955134/1.—In pursuance of the provisions of sub-section (1) of section 3 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 (Punjab Act No. 47 of 2016), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to constitute the Regulatory Body for Regulating Fee of Un-aided Educational Institutions, situated in Ferozepur Division at Ferozepur to exercise the powers conferred upon and perform the functions assigned to it under the said Act.

2. The Regulatory Body shall consist of the following, namely:-

- | | |
|---|------------------|
| 1. Divisional Commissioner,
Ferozepur; | Chair-person |
| 2. Circle Education Officer,
Faridkot; | Member |
| 3. District Education Officer
(Secondary Education), Ferozepur; | Member |
| 4. District Education Officer
(Elementary Education), Ferozepur; | Member |
| 5. Deputy Controller,
(Finance and Accounts) to be
nominated by the Divisional
Commissioner as per the provisions
of the Act. | Nominated Member |

Note. Two eminent educationists will be nominated by the Government in due course of time.

No. 1/08/2010-4edu3/955125/1.—In pursuance of the provisions of sub-section (1) of section 3 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 (Punjab Act No. 47 of 2016), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to constitute the Regulatory Body for Regulating Fee of Un-aided Educational Institutions, situated in Patiala Division at Patiala to exercise the powers conferred upon and perform the functions assigned to it under the said Act.

2. The Regulatory Body shall consist of the following, namely:-

- | | |
|---|--------------|
| 1. Divisional Commissioner,
Patiala; | Chair-person |
| 2. Circle Education Officer,
Nabha; | Member |

- | | | |
|----|--|------------------|
| 3. | District Education Officer
(Secondary Education), Patiala; | Member |
| 4. | District Education Officer
(Elementary Education), Patiala; | Member |
| 5. | Deputy Controller,
(Finance and Accounts) to be
nominated by the Divisional
Commissioner as per the provisions
of the Act. | Nominated Member |

Note. Two eminent educationists will be nominated by the Government in due course of time.

No. 1/08/2010-4edu3/955111/1.—In pursuance of the provisions of sub-section (1) of section 3 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 (Punjab Act No. 47 of 2016), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to constitute the Regulatory Body for Regulating Fee of Un-aided Educational Institutions, situated in Jalandhar Division at Jalandhar to exercise the powers conferred upon and perform the functions assigned to it under the said Act.

2. The Regulatory Body shall consist of the following, namely:-
- | | | |
|----|--|------------------|
| 1. | Divisional Commissioner,
Jalandhar; | Chair-person |
| 2. | Circle Education Officer,
Jalandhar; | Member |
| 3. | District Education Officer
(Secondary Education), Jalandhar; | Member |
| 4. | District Education Officer
(Elementary Education), Jalandhar; | Member |
| 5. | Deputy Controller,
(Finance and Accounts) to be
nominated by the Divisional
Commissioner as per the provisions
of the Act. | Nominated Member |

Note. Two eminent educationists will be nominated by the Government in due course of time.

No. 1/08/2010-4edu3/955147/1.—In pursuance of the provisions of sub-section (1) of section 3 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 (Punjab Act No. 47 of 2016), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to constitute the Regulatory Body for Regulating Fee of Un-aided Educational Institutions, situated in Faridkot Division at Faridkot to exercise the powers conferred upon and perform the functions assigned to it under the said Act.

2. The Regulatory Body shall consist of the following, namely:-
- | | | |
|----|--|--------------|
| 1. | Divisional Commissioner,
Faridkot; | Chair-person |
| 2. | Circle Education Officer,
Faridkot; | Member |
| 3. | District Education Officer
(Secondary Education), Faridkot; | Member |

- | | | |
|----|--|------------------|
| 4. | District Education Officer
(Elementary Education), Faridkot; | Member |
| 5. | Deputy Controller,
(Finance and Accounts) to be
nominated by the Divisional
Commissioner as per the provisions
of the Act. | Nominated Member |

Note. Two eminent educationists will be nominated by the Government in due course of time.

No. 1/08/2010-4edu3/955160/1.—In pursuance of the provisions of sub-section (1) of section 3 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 (Punjab Act No. 47 of 2016), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to constitute the Regulatory Body for Regulating Fee of Un-aided Educational Institutions, situated in Roopnagar Division at Roopnagar to exercise the powers conferred upon and perform the functions assigned to it under the said Act.

2. The Regulatory Body shall consist of the following, namely:-

- | | | |
|----|--|------------------|
| 1. | Divisional Commissioner,
Roopnagar; | Chair-person |
| 2. | Circle Education Officer,
Nabha; | Member |
| 3. | District Education Officer
(Secondary Education), Roopnagar; | Member |
| 4. | District Education Officer
(Elementary Education), Roopnagar; | Member |
| 5. | Deputy Controller,
(Finance and Accounts) to be
nominated by the Divisional
Commissioner as per the provisions
of the Act. | Nominated Member |

Note. Two eminent educationists will be nominated by the Government in due course of time.

Chandigarh
The 12th April, 2017

DR. G. VAJRALINGAM, I.A.S.,
Additional Chief Secretary to Government of Punjab,
Department of School Education.

STATE ELECTION COMMISSION, PUNJAB

SCO No.49, Sector-17 E, Chandigarh.

NOTIFICATION

The 10th April , 2017

No.SEC/ME/SAM/ET-2017/910.—In pursuance of the provisions of Section 93 of the Punjab State Election Commission Act, 1994 (Punjab Act No.19 of 1994), the Election Commission hereby notizes the order of the Election Tribunal for general information.

ਬਾ-ਅਦਾਲਤ ਸ਼੍ਰੀ ਬਲਬੀਰ ਰਾਜ ਸਿੰਘ ਪੀ.ਸੀ.ਐਸ, ਉਪ ਮੰਡਲ ਮੈਜਿਸਟਰੇਟ-ਕਮ-ਈ.ਟੀ, ਫਗਵਾੜਾ।

ਮਿਸਲ ਨੰਬਰ : 01/ ਈ.ਟੀ

ਤਾਰੀਖ ਰਜੂਆ : 13-04-2015

ਤਾਰੀਖ ਫੈਸਲਾ : 15-07-2016

ਸ਼ਿਵ ਕੁਮਾਰ ਪੁੱਤਰ ਫੂਲ ਚੰਦ ਪੁੱਤਰ ਈਸਰ ਦਾਸ ਵਾਸੀ ਮੁੱਹਲਾ ਸੱਥ ਰੰਗੜਾ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ।

....ਫਰੀਕ ਅਵੱਲ.....

ਬਨਾਮ

01 ਤਿਲਕ ਰਾਜ ਪੁੱਤਰ ਜਗਦੀਸ ਚੰਦ ਵਾਸੀ ਮੁੱਹਲਾ ਕਰਦਗਰਾਂ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ
02 ਸ਼੍ਰੀਮਤੀ ਸੀਮਾ ਸਿੰਘ ਤਹਿਸੀਲਦਾਰ, ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਚੋਣਾਂ ਨਗਰ ਪਾਲਿਕਾ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ।

ਚੋਣ ਪਟੀਸ਼ਨ ਜ਼ੇਰ ਧਾਰਾ 76 ਆਫ ਪੰਜਾਬ ਸਟੇਟ ਚੋਣ ਕਮਿਸ਼ਨ ਐਕਟ-1994 ਬਾਬਤ ਰੱਦ ਕਰਨੇ ਚੋਣ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਤਿਲਕ ਰਾਜ ਜੋ ਕਿ ਵਾਰਡ ਨੰ:09 ਤੇ ਮਿਊਂਸਪਲ ਕੌਂਸਲਰ ਚੁਣਿਆ ਗਿਆ ਹੈ ਜੋ ਕਿ ਗਲਤ ਅਤੇ ਗੈਰ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਚੁਣਿਆ ਗਿਆ ਹੈ ਜਿਸ ਦੀ ਚੋਣ ਰੱਦ ਕਰਨ ਯੋਗ ਹੈ ਅਤੇ ਅਪੀਲਾਂਟ ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਚੁਣਿਆ ਹੋਇਆ ਉਮੀਦਵਾਰ ਨਿਯੁਕਤ ਕਰਨ ਬਾਰੇ।

ਹਾਜ਼ਰ: 01 ਸ਼੍ਰੀ ਕਰਮਜੀਤ ਸਿੰਘ ਬਿੰਦ ਵਕੀਲ ਧਿਰ ਅਪੀਲਾਂਟ।

02 ਸ਼੍ਰੀ ਲਲਿਤ ਮੋਹਣ ਚੋਪੜਾ ਵਕੀਲ ਧਿਰ ਦੋਮ ਨੰ: 01

ਹੁਕਮ

ਸ਼੍ਰੀ ਸ਼ਿਵ ਕੁਮਾਰ ਫੂਲ ਚੰਦ ਵਾਸੀ ਮੁੱਹਲਾ ਸੱਥ ਰੰਗੜਾ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਨੇ ਇਸ ਅਦਾਲਤ ਵਿੱਚ ਚੋਣ ਪਟੀਸ਼ਨ ਦਾਇਰ ਕੀਤੀ ਉਸ ਨੇ ਆਪਣੀ ਚੋਣ ਪਟੀਸ਼ਨ ਵਿੱਚ ਇਤਰਾਜ਼ ਲਗਾਏ ਹਨ ਕਿ ਉਸ ਦਾ ਨਾਮ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਲਿਸਟ ਵਿੱਚ ਦਰਜ ਹੈ। ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਦੀ ਚੋਣ ਦਾ ਪ੍ਰੋਗਰਾਮ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਨੋਟੀਫਾਈ ਕੀਤਾ ਗਿਆ ਸੀ।

ਏ. ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਦਾਖਲ ਕਰਨ ਦੀ ਆਖਰੀ ਮਿਤੀ 13-02-2015

ਬੀ. ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਦੀ ਮਿਤੀ 16-02-2015

ਸੀ. ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਵਾਪਿਸ ਲੈਣ ਦੀ ਆਖਰੀ ਮਿਤੀ ਅਤੇ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕਰਨ ਦੀ ਮਿਤੀ 16-02-2015

ਡੀ. ਵੋਟਾਂ ਪੈਣ ਦੀ ਮਿਤੀ ਅਤੇ ਨਤੀਜਾ ਘੋਸ਼ਿਤ ਕਰਨ ਦੀ ਮਿਤੀ 25-02-2015

ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ ਦੀ ਸੀਟ ਬੈਕਵਰਡ ਕਲਾਸ ਦੇ ਮੈਬਰਾਂ ਲਈ ਰਿਜ਼ਰਵ ਨੋਟੀਫਾਈਡ ਕੀਤੀ ਗਈ ਸੀ। ਪਟੀਸ਼ਨਰ ਅਤੇ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਵਲੋਂ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ ਦੀ ਚੋਣ ਲਈ ਆਪੋ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਫਾਈਲ ਕੀਤੇ। ਪਟੀਸ਼ਨਰ ਧੋਬੀ ਜਾਤ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਅਤੇ ਧੋਬੀ ਕਾਸਟ ਪੰਜਾਬ ਰਾਜ ਵਿੱਚ ਬੈਕਵਰਡ ਕਲਾਸ ਡਿਕਲੇਅਰ ਕੀਤੀ ਗਈ ਹੈ।

ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲਾ ਕਪੂਰਥਲਾ ਦੀ ਚੋਣ ਲਈ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 02 ਨੂੰ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਲਗਾਇਆ ਗਿਆ ਸੀ। ਸਕਰੂਟਨੀ ਦੀ ਫਿਕਸ ਤਾਰੀਖ ਨੂੰ ਪਟੀਸ਼ਨਰ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਸਹੀ ਪਾਏ ਗਏ। ਪਟੀਸ਼ਨਰ ਨੂੰ ਤੱਕੜੀ ਚੋਣ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕੀਤਾ ਗਿਆ ਸੀ ਜਦ ਕਿ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਨੂੰ ਗਲਤੀ ਨਾਲ ਪੰਜਾ ਚੋਣ ਨਿਸ਼ਾਨ ਅਲਾਟ

ਕੀਤਾ ਗਿਆ ਸੀ। ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਪਟੀਸ਼ਨਰ ਅਤੇ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਤੋਂ ਬਿਨਾ ਹੋਰ ਕੋਈ ਉਮੀਦਵਾਰ ਨਾ ਸੀ। ਵੋਟਾਂ ਵਾਲੇ ਦਿਨ ਵਾਰਡ ਨੰਬਰ 09 ਦੀਆਂ ਕੁਲ ਵੋਟਾਂ 780 ਪੋਲ ਹੋਈਆਂ ਸਨ ਅਤੇ ਪ੍ਰੋਜਾਈਡਿੰਗ ਅਫਸਰ ਵਲੋਂ ਹੇਠ ਅਨੁਸਾਰ ਕਨਟੈਸਟਿੰਗ ਉਮੀਦਵਾਰ ਦੀਆਂ ਵੋਟਾਂ ਡਿਕਲੇਅਰ ਕੀਤੀਆਂ ਗਈਆਂ:-

ਏ. ਸ਼ਿਵ ਕੁਮਾਰ ਪਟੀਸ਼ਨਰ 364 ਵੋਟਾਂ

ਬੀ. ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 416 ਵੋਟਾਂ

ਤਿਲਕ ਰਾਜ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਸਮੇਂ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਪਾਸ ਹੇਠ ਲਿਖੇ ਇਤਾਰਜ਼ ਲਗਾਏ ਸਨ ਕਿ ਇਹਨਾਂ ਵਜ੍ਹਾਂ ਕਰਕੇ ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਟ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਰੱਦ ਕੀਤੇ ਜਾਣ:-

ਏ. ਇਹ ਕਿ ਤਿਲਕ ਰਾਜ ਵਲੋਂ ਜਾਂ ਉਸ ਦੇ ਪ੍ਰਪੋਜਰ ਵਲੋਂ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਪੇਸ਼ ਨਹੀਂ ਕੀਤੇ ਗਏ।

ਬੀ. ਇਹ ਕਿ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਵਲੋਂ ਸਮੇਂ ਸਿਰ ਪ੍ਰਜੈਂਟ ਨਹੀਂ ਕੀਤੇ ਗਏ ਜੋ ਕਿ 11 ਵਜੇ ਤੋਂ 3 ਵਜੇ ਤੱਕ ਪੇਸ਼ ਕਰਨੇ ਸਨ।

ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਸੀਟ ਬੈਕਵਰਡ ਕਲਾਸ ਲਈ ਨੋਟੀਫਾਈਡ ਹੋਈ ਸੀ ਪ੍ਰੰਤੂ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਕਿਸੇ ਵੀ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ, ਉਹ ਰਾਜਪੂਤ ਜਾਤੀ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਜੋ ਬੈਕਵਰਡ ਕਲਾਸ ਵਿੱਚ ਨਹੀਂ ਆਉਂਦੀ। ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਨਾਲ ਕੋਈ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਨਹੀਂ ਲਗਾਇਆ ਗਿਆ ਕਿ ਉਹ ਕਿਸ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਪਟੀਸ਼ਨਰ ਦੇ ਇਤਰਾਜ਼ ਦੇ ਬਾਵਜੂਦ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਵਲੋਂ ਤਿਲਕ ਰਾਜ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਸਬੰਧੀ ਕੋਈ ਹੁਕਮ ਪਾਸ ਨਹੀਂ ਕੀਤਾ ਸਗੋਂ ਉਸ ਨੂੰ ਪੰਜਾ ਚੋਣ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕਰ ਦਿੱਤਾ। ਕਾਨੂੰਨ ਮੁਤਾਬਿਕ ਕੋਈ ਵੀ ਉਮੀਦਵਾਰ ਚੋਣ ਨਹੀਂ ਲੜ ਸਕਦਾ ਜਦ ਤੱਕ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਬੈਕਵਰਡ ਕਲਾਸ ਡਿਕਲੇਅਰ ਕੀਤੀ ਜਾਤ ਦਾ ਸਰਟੀਫਿਕੇਟ ਪੇਸ਼ ਨਹੀਂ ਕਰਦਾ। ਇਹ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲ੍ਹਾ ਕਪੂਰਥਲਾ ਦੀ ਮਿਊਸਪਲ ਕਮੇਟੀ ਦੇ ਮੈਂਬਰ ਦੀ ਚੋਣ ਹੇਠ ਲਿਖੀਆਂ ਵਜ੍ਹਾਤ ਕਰਕੇ ਰੱਦ ਕਰਨ ਯੋਗ ਹੈ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜ਼ਿਲ੍ਹਾ ਕਪੂਰਥਲਾ ਦਾ ਚੁਣਿਆ ਹੋਇਆ ਮੈਂਬਰ ਡਿਕਲੇਅਰ ਕੀਤਾ ਜਾਵੇ।

ਇਹ ਕਿ ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਉਸ ਵਲੋਂ ਖੁਦ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਨੂੰ ਪੇਸ਼ ਨਹੀਂ ਕੀਤੇ ਗਏ ਅਤੇ ਨਾ ਹੀ ਉਸ ਦੇ ਪਰਪੋਜਰ ਵਲੋਂ ਪੇਸ਼ ਕੀਤੇ ਗਏ। ਗਲਤ ਤੌਰ ਤੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਪ੍ਰਾਪਤ ਕਰਨ ਕਰਕੇ ਪਟੀਸ਼ਨਰ ਦੇ ਹੱਕ ਤੇ ਅਸਰ ਪਿਆ ਹੈ ਅਤੇ ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਨੂੰ ਚੁਣਿਆ ਗਿਆ ਘੋਸ਼ਿਤ ਕਰਨ ਕਰਕੇ ਅਸਰ ਹੋਇਆ ਹੈ। ਗਲਤੀਆਂ, ਗੈਰ ਕਾਨੂੰਨੀ ਵਜ੍ਹਾਤ ਕਰਕੇ ਅਤੇ ਕਾਨੂੰਨ ਦੀ ਸਹੀ ਤੌਰ ਤੇ ਪਾਲਣਾ ਨਾ ਕਰਕੇ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਚੋਣ ਤੇ ਕਾਫੀ ਅਸਰ ਪਿਆ। ਜੇਕਰ ਉਪਰੋਕਤ ਗਲਤੀਆਂ, ਗੈਰ ਕਾਨੂੰਨੀ ਵਜ੍ਹਾਤ ਅਤੇ ਕਾਨੂੰਨੀ ਉਲੰਘਣਾ ਨਾ ਕੀਤੀ ਹੁੰਦੀ ਤਾਂ ਪਟੀਸ਼ਨਰ ਬਿਨਾਂ ਚੋਣ ਲੜਨ ਤੋਂ ਚੁਣਿਆ ਘੋਸ਼ਿਤ ਕੀਤਾ ਜਾਣਾ ਸੀ ਇਸ ਲਈ ਪਟੀਸ਼ਨਰ ਨੂੰ ਚੁਣਿਆ ਹੋਇਆ ਉਮੀਦਵਾਰ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਡਿਕਲੇਅਰ ਕੀਤਾ ਜਾਵੇ। ਇਹ ਕਿ ਪਟੀਸ਼ਨਰ ਦੀ ਫੀਸ 500/- ਚਲਾਨ ਮਿਤੀ 13-04-2015 ਸਕਿਊਰਿਟੀ ਜਮ੍ਹਾਂ ਕਰਵਾਈ ਗਈ ਹੈ। ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਰਿਜਲਟ ਮਿਤੀ 25-02-2015 ਨੂੰ ਸੁਣਾਇਆ ਗਿਆ ਸੀ। ਮਿਤੀ 11-04-2015 ਨੂੰ ਸਨਿਚਰਵਾਰ ਸੀ ਅਤੇ 12-04-2015 ਨੂੰ ਐਤਵਾਰ ਇਹ ਕੋਰਟ ਬੰਦ ਹੋਣ ਕਰਕੇ ਇਹ ਪਟੀਸ਼ਨ ਮਿਤੀ 13-04-2015 ਨੂੰ ਦਾਇਰ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਲਈ ਇਹ ਪਟੀਸ਼ਨ ਅੰਦਰ ਮਿਆਦ ਹੈ ਅਤੇ ਅੰਤ ਵਿੱਚ ਬੇਨਤੀ ਕੀਤੀ ਕਿ ਇਹ ਪਟੀਸ਼ਨ ਪ੍ਰਵਾਨ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਚੋਣ ਗੈਰ ਕਾਨੂੰਨੀ ਗਲਤ ਘੋਸ਼ਿਤ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਰੱਦ ਕੀਤੀ ਜਾਵੇ। ਪਟੀਸ਼ਨਰ ਨੂੰ ਚੁਣਿਆ ਹੋਇਆ ਘੋਸ਼ਿਤ ਕੀਤਾ ਜਾਵੇ।

ਇਸ ਪਟੀਸ਼ਨ ਦਾ ਨੋਟਿਸ਼ ਧਿਰ ਦੋਮ ਨੂੰ ਦਿੱਤਾ ਗਿਆ। ਧਿਰ ਦੋਮ ਮਹਿ ਕੌਂਸਿਲ ਰਾਹੀਂ ਪੇਸ਼ ਹੋਈ ਅਤੇ ਪਟੀਸ਼ਨ ਦੀ ਪੈਰਵਾਈ ਕੀਤੀ।

ਰਸਪਾਂਡੈਟ ਨੰਬਰ 01 ਨੇ ਪਟੀਸ਼ਨ ਦੇ ਜਵਾਬ ਵਿੱਚ ਕਿਹਾ ਹੈ ਇਹ ਪਟੀਸ਼ਨ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਰਸਪਾਂਡੈਟ ਨੂੰ ਹਰਾਸ ਕਰਨ ਵਾਸਤੇ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਕਰਕੇ ਇਹ ਪਟੀਸ਼ਨ ਰੱਦ ਕਰਨ ਯੋਗ ਹੈ। ਦਰਅਸਲ ਪਟੀਸ਼ਨਰ ਕਟੜਾ ਬਜ਼ਾਰ ਦਾ ਰਹਿਣ

ਵਾਲਾ ਹੈ ਉਸ ਵਲੋਂ ਜਾਣਬੁੱਝ ਕੇ ਸੱਥ ਰੰਗੜਾ ਦਾ ਗਲਤ ਪਤਾ ਦਿੱਤਾ ਗਿਆ ਹੈ। ਇਹ ਗੱਲ ਠੀਕ ਹੈ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਬੈਕਵਰਡ ਕਲਾਸ ਲਈ ਨੋਟੀਫਾਇਡ ਕੀਤਾ ਗਿਆ ਹੈ। ਸਕਰੂਟਨੀ ਉਪਰੰਤ ਦੋਨਾਂ ਉਮੀਦਵਾਰਾਂ ਦੇ ਕਾਗਜ਼ ਸਹੀ ਪਾਏ ਗਏ ਸੀ ਜਿਸ ਉਪਰੰਤ ਸਿਮਬਲ ਅਲਾਟ ਕੀਤੇ ਗਏ ਸਨ। ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਕੋਈ ਲਿਖਤੀ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਵਲੋਂ ਕੋਈ ਲਿਖਤੀ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਵਲੋਂ ਨਿੱਜੀ ਤੌਰ ਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਨੂੰ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਨਾ ਦਿੱਤੇ ਹੋਣ। ਇਹ ਵੀ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਟਾਈਮ ਸਿਰ ਨਾ ਦਿੱਤੇ ਹੋਣ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾ ਹੈ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਰਾਜਪੂਤ ਕਾਸਟ ਬੈਕਵਰਡ ਕਲਾਸ ਵਿੱਚ ਨਾ ਆਉਂਦੀ ਹੋਵੇ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਕਸਯਪ ਰਾਜਪੂਤ ਹੈ ਜੋ ਕਿ ਬੈਕਵਰਡ ਕਲਾਸ ਹੈ। ਉਸ ਵਲੋਂ ਨੋਟੀਫੇਕਸ਼ਨ ਪੇਪਰ ਦੇ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਲਗਾਇਆ ਸੀ। ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਵੇਲੇ ਪਟੀਸ਼ਨਰ ਮੋਕਾ ਤੇ ਹਾਜ਼ਰ ਸੀ ਉਸ ਵਲੋਂ ਕੋਈ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਚੋਣ ਵਿੱਚ ਕੋਈ ਗੈਰ ਕਾਨੂੰਨੀ ਨਹੀਂ ਹੋਈ। ਇਸ ਕਰਕੇ ਰਸਪਾਂਡੈਂਟ ਦੀ ਚੋਣ ਰੱਦ ਕਰਨ ਦੀ ਕੋਈ ਵਜ੍ਹਾ ਨਾ ਹੈ ਅਤੇ ਬੇਨਤੀ ਕੀਤੀ ਕਿ ਪਟੀਸ਼ਨਰ ਦੀ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕੀਤੀ ਜਾਵੇ।

ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਜਵਾਬ ਉਲ ਜਵਾਬ ਵਿੱਚ ਕਿਹਾ ਕਿ ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਪਟੀਸ਼ਨਰ ਕੱਟੜਾ ਬਜ਼ਾਰ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਹ ਸੱਥ ਰੰਗੜਾ ਦਾ ਰਹਿਣ ਵਾਲਾ ਨਾ ਹੋਵੇ। ਪਟੀਸ਼ਨਰ ਦੀ ਪਟੀਸ਼ਨ ਦੇ ਕੰਨਟੈਂਟਸ ਬਿਲਕੁਲ ਸਹੀ ਹਨ। ਪਟੀਸ਼ਨਰ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਸਹੀ ਹੋਣ ਅਤੇ ਉਸ ਵਲੋਂ ਸਹੀ ਟਾਈਮ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਨੂੰ ਪੇਸ਼ ਕੀਤੇ ਹੋਣ।

ਸ਼ਿਵ ਕੁਮਾਰ ਪੁੱਤਰ ਫੂਲ ਚੰਦ ਵਾਸੀ ਮੁੱਹਲਾ ਸੱਥ ਰੰਗੜਾ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜਿਲ੍ਹਾ ਕਪੂਰਥਲਾ ਨੇ ਆਪਣੇ ਬਿਆਨਾਂ ਵਿੱਚ ਕਿਹਾ ਕਿ ਉਹ ਵਾਰਡ ਨੰਬਰ 09 ਦੇ ਮੁਹੱਲੇ ਸੱਥ ਰੰਗੜਾ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹੈ ਅਤੇ ਉਸ ਵਾਰਡ ਦੀ ਵੋਟਰ ਲਿਸਟ ਵਿੱਚ ਉਸ ਦਾ ਨਾਮ ਹੈ। ਉਹ ਜਾਤ ਦਾ ਧੋਬੀ ਹੈ ਜੋ ਜਾਤ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਬੈਕਵਰਡ ਕਲਾਸ ਘੋਸ਼ਿਤ ਕੀਤੀ ਗਈ ਹੈ। ਵੋਟਾਂ ਵਾਲੇ ਦਿਨ ਕੁੱਲ 780 ਵੋਟਾਂ ਵਿੱਚੋਂ ਉਸ ਨੂੰ 364 ਵੋਟਾਂ ਅਤੇ ਤਿਲਕ ਰਾਜ ਨੂੰ 416 ਵੋਟਾਂ ਪਈਆਂ ਸਨ। ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਸਮੇਂ ਉਸ ਵਲੋਂ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਪਾਸ ਇਤਰਾਜ਼ ਕੀਤੇ ਸਨ ਕਿ ਹੇਠ ਲਿਖੀ ਵਜ੍ਹਾ ਕਰਕੇ ਤਿਲਕ ਰਾਜ ਦੀ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਰੱਦ ਹੋਣ ਯੋਗ ਹਨ। ਇਹ ਕਿ ਤਿਲਕ ਰਾਜ ਵਲੋਂ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਨਿੱਜੀ ਤੌਰ ਤੇ ਆਰ.ਓ.ਨੂੰ ਪੇਸ਼ ਨਹੀਂ ਸਨ ਕੀਤੇ। ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਵਕਤ ਸਿਰ ਪੇਸ਼ ਨਹੀਂ ਸਨ ਕੀਤੇ। ਵਾਰਡ ਨੰਬਰ 09 ਬੈਕਵਰਡ ਕਲਾਸ ਦੇ ਉਮੀਦਵਾਰਾਂ ਲਈ ਰਿਜ਼ਰਵ ਕੀਤਾ ਗਿਆ ਸੀ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਸ਼ਾਮਲ ਨਹੀਂ ਕੀਤਾ ਗਿਆ। ਪਟੀਸ਼ਨਰ ਦੇ ਇਤਰਾਜ਼ਾਂ ਤੇ ਆਰ.ਓ. ਵਲੋਂ ਕੋਈ ਹੁਕਮ ਪਾਸ ਨਹੀਂ ਕੀਤਾ ਅਤੇ ਉਸ ਨੂੰ ਗਲਤੀ ਨਾਲ ਚੋਣ ਨਿਸ਼ਾਨ ਪੰਜਾ ਅਲਾਟ ਕਰ ਦਿੱਤਾ ਗਿਆ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੀ ਚੋਣ ਬਤੌਰ ਮੈਂਬਰ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਰੱਦ ਕਰਨ ਯੋਗ ਹੈ।

ਏ. ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਉਸ ਵਲੋਂ ਖੁਦ ਜਾਂ ਪ੍ਰੋਪੋਜਰ ਵਲੋਂ ਪੇਸ਼ ਕੀਤਾ ਗਿਆ।

ਬੀ. ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਵਕਤ ਸਿਰ 11 ਵਜੇ ਤੋਂ 3 ਵਜੇ ਦੇ ਦਰਮਿਆਨ ਨਹੀਂ ਦਿੱਤੇ ਗਏ।

ਸੀ. ਇਹ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜਿਲ੍ਹਾ ਕਪੂਰਥਲਾ ਦੀ ਸੀ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਤੁਅੱਲਕ ਨਹੀਂ ਰੱਖਦਾ। ਤਿਲਕ ਰਾਜ ਰਾਜਪੂਤ ਜਾਤ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਜੋ ਕਿ ਬੈਕਵਰਡ ਕਲਾਸ ਵਿੱਚ ਨਹੀਂ ਆਉਂਦੀ। ਰਸਪਾਂਡੈਂਟ ਦੀ ਜਨਮ ਮਿਤੀ 20-11-1978 ਹੈ ਤੇ ਉਹ ਗੋਰਮਿੰਟ ਸੀਨੀਅਰ ਸੈਕੰਡਰੀ ਸਕੂਲ ਲੜਕੇ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਵਿੱਚ ਮਿਤੀ 30-3-1982 ਤੋਂ ਪੜ੍ਹਦਾ ਜੋ ਕਿ ਰਿਕਾਰਡ ਮੁਤਾਬਕ ਦਾਖਲਾ ਫਾਰਮ ਵਿੱਚ ਜਾਤ ਕਸਯਪ ਰਾਜਪੂਤ ਦਰਜ ਹੈ।

ਡੀ. ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਦੇ ਨਾਲ ਸਕਿਊਰਟੀ ਦੀ ਜਮ੍ਹਾਂ ਕਰਵਾਈ ਰਕਮ ਦੀ ਰਸੀਦ ਸ਼ਾਮਲ ਨਹੀਂ ਕੀਤੀ ਨਾ ਹੀ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਵਿੱਚ ਲਿਖਿਆ ਕਿ ਉਹ ਕਿਸ

ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਅਤੇ ਨਾ ਹੀ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਹੀ ਸਾਮਲ ਕੀਤਾ ਹੈ।

ਈ. ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦਾ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਜੋ ਓ ਬੀ ਸੀ ਅਟੈਚ ਕੀਤਾ ਗਿਆ ਹੈ ਉਹ ਪੰਜਾਬ ਸਟੇਟ ਇਲੈਕਸ਼ਨ ਕਮਿਸ਼ਨ ਐਕਟ 1994 ਦੀਆਂ ਸ਼ਰਤਾਂ ਪੂਰੀਆਂ ਨਹੀਂ ਕਰਦਾ ਅਤੇ ਇਹ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਬਿਲਕੁਲ ਝੂਠਾ ਅਤੇ ਬੇਗਸ ਬਣਾਇਆ ਗਿਆ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਪਰਿਵਾਰ ਦੀ ਆਮਦਨ ਅਜਿਹਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਲਈ ਜਿਆਦਾ ਹੈ।

ਚੋਣ ਨਤੀਜਾ ਜੋ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਗੈਰ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਪ੍ਰਵਾਨ ਕਰਨ ਕਰਕੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਇਫੈਕਟ ਕੀਤਾ ਹੈ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜਿਲ੍ਹੇ ਕਪੂਰਥਲਾ ਦਾ ਚੁਣਿਆ ਹੋਇਆ ਮੈਂਬਰ ਡਿਕਲੇਅਰ ਕਰਨ ਨਾਲ ਵੀ ਪਟੀਸ਼ਨਰ ਨੂੰ ਇਫੈਕਟ ਕੀਤਾ ਹੈ। ਚੋਣ ਵਿੱਚ ਗੈਰ ਕਾਨੂੰਨੀ ਅਤੇ ਗਲਤੀਆਂ ਅਤੇ ਕਾਨੂੰਨ ਦੀ ਉਲੰਘਣਾ ਕਰਕੇ ਚੋਣ ਨਤੀਜਾ ਇਫੈਕਟ ਹੋਇਆ ਹੈ। ਜੇਕਰ ਇਹ ਗਲਤੀਆਂ ਨਾ ਹੋਣ ਦਿੱਤੀਆਂ ਜਾਂਦੀਆਂ ਤਾਂ ਪਟੀਸ਼ਨ ਅਨਾਪੇਜਡ ਚੁਣਿਆ ਜਾਣਾ ਸੀ। ਇਸ ਲਈ ਪਟੀਸ਼ਨਰ ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਜਿਲ੍ਹੇ ਕਪੂਰਥਲਾ ਦਾ ਚੁਣਿਆ ਮੈਂਬਰ ਡਿਕਲੇਅਰ ਕੀਤਾ ਜਾਵੇ। ਚੋਣਾਂ ਦਾ ਰਿਜਲਟ ਮਿਤੀ 25-02-2015 ਨੂੰ ਅਨਾਊਂਸ ਕੀਤਾ ਗਿਆ ਸੀ। ਮਿਤੀ 11-04-2015 ਨੂੰ ਸਨਿਚਰਵਾਰ ਸੀ ਅਤੇ ਮਿਤੀ 12-04-2015 ਨੂੰ ਐਤਵਾਰ ਹੋਣ ਕਰਕੇ ਕੋਰਟਾਂ ਵਿੱਚ ਛੁੱਟੀ ਸੀ। ਇਸ ਕਰਕੇ ਪਟੀਸ਼ਨ ਮਿਤੀ 13-04-2015 ਨੂੰ ਕੀਤੀ ਗਈ ਸੀ।

ਇਸ ਗਵਾਹ ਨੇ ਜਿਹਾ ਵਿੱਚ ਕਿਹਾ ਕਿ ਮੋਨਕਾ ਦੇਵੀ ਦਾ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਉਸ ਦੀ ਤਸਦੀਕ ਨਾਲ ਜਾਰੀ ਹੋਇਆ ਹੈ। ਉਸ ਨੇ ਮੋਨਕਾ ਦੀ ਜਾਤ ਦੀ ਸਹੀ ਤਸਦੀਕ ਕੀਤੀ ਸੀ। ਉਸ ਸਰਟੀਫਿਕੇਟ ਦੀ ਫੋਟੋ ਸਟੇਟ ਕਾਪੀ ਅਗਜੀਬਟ ਆਰ-1 ਹੈ। (ਡਾਕੂਮੈਂਟ ਅਬਜੈਕਟਡ ਟੂ ਬਾਈ ਪਟੀਸ਼ਨਰ) ਉਸ ਨੇ ਅੱਜ ਤੱਕ ਕਿਸੇ ਅਧਿਕਾਰੀ ਪਾਸ ਸ਼ਿਕਾਇਤ ਨਹੀਂ ਕੀਤੀ ਕਿ ਤਿਲਕ ਰਾਜ ਦਾ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਜਾਅਲੀ ਜਾਰੀ ਹੋਇਆ ਹੈ। ਇਹ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਦੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਸਹੀ ਮੰਜੂਰ ਕੀਤੇ ਹੋਣ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਪੜਤਾਲ ਸਮੇਂ ਕੋਈ ਇਤਰਾਜ਼ ਨਾ ਕੀਤਾ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਰਾਜਪੂਤ ਜਾਤ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਵਿੱਚ ਹੋਵੇ। ਇਹ ਗੱਲ ਠੀਕ ਹੈ ਕਿ ਮੋਨਕਾ ਦੇਵੀ ਦੇ ਬਾਪ ਦਾ ਨਾਮ ਜਗਦੀਸ਼ ਚੰਦ ਹੈ। ਉਸ ਨੂੰ ਸਹੀ ਪਤਾ ਕਿ ਮੋਨਕਾ ਦੇਵੀ ਤਿਲਕ ਰਾਜ ਰਸਪਾਂਡੈਂਟ ਦੀ ਭੈਣ ਹੋਵੇ। ਰਸਪਾਂਡੈਂਟ ਅੱਜ ਕੱਲ ਕਰਦਗਰਾਂ ਮੁਹੱਲੇ ਵਿੱਚ ਰਹਿੰਦਾ ਹੈ। ਮੁਹੱਲੇ ਵਿੱਚ ਰਹਿੰਦਾ ਹੈ। ਮੁਹੱਲਾ ਕਰਦਗਰਾ ਵਾਰਡ ਨੰਬਰ 08 ਵਿੱਚ ਪੈਂਦਾ ਹੈ। ਉਹ ਉਸ ਮੁਹੱਲੇ ਦੇ ਲੋਕਾਂ ਨੂੰ ਜਾਣਦਾ ਹੈ। ਉਸ ਨੂੰ ਨਹੀਂ ਯਾਦ ਕਿ ਉਹ ਕਿਹੜੇ ਸਾਲ ਤੋਂ ਕਿਹੜੇ ਸਾਲ ਤੱਕ ਵਾਰਡ ਨੰਬਰ 08 ਦਾ ਐਮ.ਸੀ ਰਿਹਾ। ਜਗਦੀਸ਼ ਚੰਦ ਵਾਰਡ ਨੰਬਰ 08 ਦਾ ਵਾਸੀ ਹੋਵੇਗਾ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਮੋਨਕਾ ਦੇਵੀ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੀ ਸਕੀ ਭੈਣ ਹੋਵੇ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਸਹੀ ਤੌਰ ਤੇ ਜੇਤੂ ਐਲਾਨਿਆ ਗਿਆ ਹੋਵੇ। ਇਹ ਵੀ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਦੇ ਪ੍ਰੀਵਾਰ ਦੀ ਅਮਦਨ ਨੀਯਤ ਕੀਤੀ ਸੀ ਤੋਂ ਘੱਟ ਹੋਵੇ। ਦੋਬਾਰਾ ਜਿਰਹਾਂ ਵਿੱਚ ਕਿਹਾ ਕਿ ਉਸ ਦੀ ਰਿਹਾਇਸ਼ ਸੱਥ ਰੰਗੜਾ ਵਿੱਚ ਹੈ। ਉਸ ਦਾ ਇੱਕ ਘਰ ਕਟੜਾ ਬਜ਼ਾਰ ਵਿੱਚ ਵੀ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਜਾਣ ਬੁੱਝ ਕੇ ਆਪਣਾ ਪਤਾ ਸੱਥ ਰੰਗੜਾ ਦਾ ਦਿੱਤਾ ਹੋਵੇ। ਉਸ ਨੇ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਪਾਸ ਕੋਈ ਲਿਖਤੀ ਇਤਰਾਜ਼ ਪੇਸ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਜਬਾਨੀ ਇਤਰਾਜ਼ ਕੀਤੇ ਸਨ। ਜਦ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਨਾਮਜ਼ਦਗੀ ਪੱਤਰ ਦਾਖਲ ਕੀਤਾ ਸੀ ਤਾਂ ਉਸ ਨੇ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਨਹੀਂ ਸੀ ਵੇਖਿਆਂ। ਕੋਈ ਵੀ ਕਾਗਜ਼ ਉਸ ਨੇ ਆਪ ਨਹੀਂ ਸੀ ਚੈਕ ਕੀਤਾ। ਉਸ ਨੇ ਇਸ ਬਾਰੇ ਚੋਣ ਕਮਿਸ਼ਨਰ ਡੀ.ਸੀ.ਕਪੂਰਥਲਾ ਜਾਂ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਪਾਸ ਕੋਈ ਸ਼ਿਕਾਇਤ ਨਹੀਂ ਸੀ ਕੀਤੀ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਵਲੋਂ ਤਿਲਕ ਰਾਜ ਦੇ ਕਾਗਜ਼ ਸਹੀ ਤੌਰ ਤੇ ਚੈਕ ਕੀਤੇ ਹੋਣ। ਤਿਲਕ ਰਾਜ ਨੇ ਚੋਣ ਨਿਸ਼ਾਨ ਪੰਜਾ ਮੰਗਿਆ ਸੀ ਉਸਨੂੰ ਪੰਜਾ ਹੀ ਅਲਾਟ ਕੀਤਾ ਗਿਆ ਸੀ ਪਰੰਤੂ ਉਸ ਵਲੋਂ ਉਸ ਵਕਤ ਕੋਈ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਨੇ ਤਿਲਕ ਰਾਜ ਨੂੰ ਸਹੀ ਤੌਰ ਤੇ ਪੰਜਾ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕੀਤਾ ਸੀ। ਉਸ ਵਲੋਂ ਆਰ.ਓ. ਪਾਸੋ ਆਰ.ਟੀ.ਆਈ ਐਕਟ ਤਹਿਤ ਤਿਲਕ ਰਾਜ ਦੇ ਬੈਕਵਰਡ ਕਲਾਸ ਦੇ ਸਰਟੀਫਿਕੇਟ ਦੀ ਕਾਪੀ ਨਹੀਂ ਸੀ ਮੰਗੀ ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਜਾਣ ਬੁੱਝਕੇ ਸਰਟੀਫਿਕੇਟ ਦੀ ਕਾਪੀ ਨਾ ਲਈ ਹੋਵੇ। ਉਹ ਨਹੀਂ ਕਹਿ ਸਕਦਾ ਕਿ ਉਸ ਨੂੰ ਕਿੱਥੋਂ ਪਤਾ ਲੱਗਾ ਕਿ ਤਿਲਕ ਰਾਜ ਪੱਛੜੀ ਸ਼੍ਰੇਣੀ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ। ਜੇ ਵਾਰਡ ਪਹਿਲਾ 08 ਸੀ ਹੁਣ 09 ਹੈ। ਉਹ ਤਿਲਕ ਰਾਜ ਦੀ ਭੈਣ ਮੋਨਕਾ ਨੂੰ ਨਹੀਂ ਜਾਣਦਾ। ਤਿਲਕ ਰਾਜ ਦੇ ਬਾਪ ਦਾ ਨਾਮ ਜਗਦੀਸ਼ ਚੰਦ ਹੈ। ਉਸ ਨੂੰ ਮੋਨਕਾ ਦੇਵੀ ਪੁੱਤਰੀ ਜਗਦੀਸ਼ ਚੰਦ ਦਾ ਪੱਛੜੀ ਸ਼੍ਰੇਣੀ ਦਾ

ਸਰਟੀਫਿਕੇਟ ਤਸਦੀਕ ਕੀਤਾ ਸੀ। ਮੋਨਕਾ ਦੀ ਸਰਟੀਫਿਕੇਟ ਦੀ ਕਾਪੀ ਮਾਰਕ ਡੀ.ਏ ਹੈ।

ਦੂਸਰੇ ਗਵਾਹ ਹਰਭਜਨ ਸਿੰਘ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਸਰਕਾਰੀ ਐਲੀਮੈਂਟਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਨੇ ਆਪਣੇ ਬਿਆਨ ਵਿੱਚ ਕਿਹਾ ਕਿ ਉਹ ਸਰਕਾਰੀ ਐਲੀਮੈਂਟਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਵਿੱਚ ਬਤੌਰ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਤਾਇਨਾਤ ਹੈ। ਉਹ ਤਲਬੀਦਾ ਰਿਕਾਰਡ ਲੈਕੇ ਆਇਆ ਹੈ। ਅਸਲ ਦਾਖਲਾ ਖਾਰਜ ਰਜਿਸਟਰ 1979 ਤੋਂ 1989 ਨਾਲ ਲੈ ਕੇ ਆਇਆ ਹੈ। ਇਸ ਰਜਿਸਟਰ ਮੁਤਾਬਿਕ ਤਿਲਕ ਰਾਜ ਪੁੱਤਰ ਜਗਦੀਸ਼ ਚੰਦ ਕੌਮ ਰਾਜਪੂਤ ਇਸ ਸਕੂਲ ਵਿੱਚ ਪਹਿਲੀ ਕਲਾਸ ਵਿੱਚ ਮਿਤੀ 05-04-1984 ਨੂੰ ਦਾਖਲ ਕੀਤਾ ਗਿਆ ਸੀ। ਉਹ ਪੰਜਵੀਂ ਤੱਕ ਇਸ ਸਕੂਲ ਵਿੱਚ ਪੜ੍ਹਿਆ ਹੈ। ਉਸ ਨੇ ਅਸਲ ਸਰਟੀਫਿਕੇਟ ਮਿਤੀ 18-05-2015 ਵੇਖ ਲਿਆ ਹੈ ਜੋ ਸੁਖਚੈਨ ਸਿੰਘ ਟੀਚਰ ਦੇ ਦਸਤਖਤੀ ਹੈ। ਸੁਖਚੈਨ ਸਿੰਘ ਮਿਤੀ 18-05-2015 ਨੂੰ ਇਸ ਸਕੂਲ ਵਿੱਚ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਆਫੀਸੀਏਟ ਕੰਮ ਕਰ ਰਹੇ ਸੀ। ਇਹ ਸਰਟੀਫਿਕੇਟ ਰਿਕਾਰਡ ਮੁਤਾਬਿਕ ਸਹੀ ਹੈ ਜਿਸ ਉੱਪਰ ਉਹ ਸੁਖਚੈਨ ਸਿੰਘ ਦੇ ਦਸਤਖਤ ਪਹਿਚਾਨਦਾ ਹੈ। ਅਸਲ ਸਰਟੀਫਿਕੇਟ ਅਗਜੀਬਟ ਪੀ-7 ਹੈ। ਸਬੰਧਤ ਸਫੇ ਦੀ ਦਰੁਸਤ ਫੋਟੋ ਕਾਪੀ ਅਗਜੀਬਟ ਪੀ-8 ਹੈ। ਉਸ ਵਲੋਂ ਲਿਆਏ ਅਡਮਿਸ਼ਨ ਫਾਰਮ ਦੀ ਨਕਲ ਅਗਜੀਬਟ ਪੀ-9 ਹੈ। (ਸਾਰੇ ਡਾਕੂਮੈਂਟਸ ਅਬਜੈਕਟਿਡ ਟ੍ਰੂ)

ਜਿਹਨਾਂ ਵਿੱਚ ਇਸ ਗਵਾਹ ਨੇ ਕਿਹਾ ਕਿ ਮਿਤੀ 05-04-1984 ਦਾ ਇੰਦਰਾਜ ਉਸ ਦੇ ਕਲਮੀ ਨਾਂ ਹੈ, ਨਾਂ ਹੀ ਉਸ ਦੇ ਸਾਹਮਣੇ ਹੋਇਆ ਹੈ। ਬੱਚਾ ਉਸ ਦੀ ਹਾਜਰੀ ਵਿੱਚ ਸਕੂਲੇ ਦਾਖਲ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਉਸ ਨੂੰ ਨਹੀਂ ਪਤਾ ਕਿ ਦਾਖਲ ਫਾਰਮ ਦੇ ਅੰਦਰਾਜ ਕਿਸ ਦੇ ਕਲਮੀ ਹਨ। ਉਹ ਜਗਦੀਸ ਚੰਦ ਨੂੰ ਨਹੀਂ ਜਾਣਦਾ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਹ ਝੂਠੀ ਗਵਾਹੀ ਦੇ ਰਿਹਾ ਹੈ।

ਤੀਸਰੇ ਗਵਾਹ ਸ਼੍ਰੀਮਤੀ ਸੰਤੋਸ਼ ਕੁਮਾਰੀ ਸੇਵਾ ਮੁਕਤ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਵਾਸੀ 1347 ਅਰਬਨ ਅਸਟੇਟ, ਕਪੂਰਥਲਾ ਨੇ ਆਪਣੇ ਬਿਆਨਾਂ ਵਿੱਚ ਕਿਹਾ ਕਿ ਉਹ ਸਰਕਾਰੀ ਗਰਲਜ ਪ੍ਰਾਇਮਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਵਿੱਚ ਬਤੌਰ ਟੀਚਰ ਤੋਂ ਲੈ ਕੇ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਤੱਕ ਨੌਕਰੀ ਕੀਤੀ ਹੈ ਤੇ ਉਹ ਸਾਲ 1996 ਵਿੱਚ ਇਸ ਸਕੂਲ ਤੋਂ ਬਤੌਰ ਸੈਂਟਰ ਹੈਡ ਟੀਚਰ ਸੇਵਾ ਮੁਕਤ ਹੋਈ ਹੈ। ਜਦ ਵੀ ਕੋਈ ਬੱਚਾ ਸਕੂਲ ਵਿੱਚ ਦਾਖਲ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਉਸ ਬੱਚੇ ਦੇ ਮਾਤਾ ਪਿਤਾ ਵਲੋਂ ਦਾਖਲਾ ਫਾਰਮ ਭਰਕੇ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ ਜਿਸ ਵਿੱਚ ਬੱਚੇ ਦੇ ਪੂਰੇ ਵੇਰਵੇ ਦਰਜ ਕੀਤੇ ਜਾਂਦੇ ਹਨ ਤੇ ਉਸ ਫਾਰਮ ਦੇ ਅਧਾਰ ਤੇ ਬੱਚੇ ਨੂੰ ਸਕੂਲ ਵਿੱਚ ਦਾਖਲ ਕੀਤਾ ਜਾਂਦਾ ਹੈ। ਉਸ ਫਾਰਮ ਵਿੱਚ ਦਿੱਤੇ ਵੇਰਵੇ ਸਕੂਲ ਵਿੱਚ ਮੇਨਟੇਨ ਕੀਤੇ ਜਾਂਦੇ ਹਨ। ਦਾਖਲ ਖਾਰਜ ਰਜਿਸਟਰ ਵਿੱਚ ਅੰਦਰਾਜ ਕੀਤੇ ਜਾਂਦੇ ਹਨ। ਉਸ ਨੇ ਅਸਲ ਦਾਖਲ ਖਾਰਜ ਰਜਿਸਟਰ ਸਰਕਾਰੀ ਐਲੀਮੈਂਟਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਵੇਖ ਲਿਆ ਹੈ ਜਿਸ ਵਿੱਚ ਲੜੀ ਨੰਬਰ 8516 ਮਿਤੀ 05-04-1984 ਤੇ ਤਿਲਕ ਰਾਜ ਪੁੱਤਰ ਜਗਦੀਸ਼ ਚੰਦ ਜਾਤ ਰਾਜਪੂਤ ਦਾ ਦਾਖਲਾ ਦਰਜ ਹੈ। ਇਹ ਬੱਚਾ ਮਿਤੀ 31-03-1989 ਤੱਕ ਇਸ ਸਕੂਲ ਵਿੱਚ ਪੜ੍ਹਿਆ ਤੇ ਇਸ ਨੂੰ ਉਸ ਵਲੋਂ ਪੰਜਵੀਂ ਪਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਸਬੰਧੀ ਰਜਿਸਟਰ ਦੇ ਲੜੀ ਨੰਬਰ 8516 ਦੇ ਅੱਗੇ ਉਸ ਦੇ ਪੰਜਾਬੀ ਵਿੱਚ ਦਸਤਖਤ ਹਨ ਜੋ ਕਿ ਉਹ ਪਹਿਚਾਨਦੀ ਹੈ। ਇਸ ਅੰਦਰਾਜ ਦੇ ਅਸਲ ਰਜਿਸਟਰ ਦੇ ਸਬੰਧਤ ਪੰਨੇ ਦੀ ਦਰੁਸਤ ਫੋਟੋ ਸਟੇਟ ਨਕਲ ਅਗਜੀਬਟ ਪੀ-9 ਹੈ। (ਡਾਕੂਮੈਂਟ ਅਬਜੈਕਟਿਡ ਟ੍ਰੂ)

ਜਿਹਨਾਂ ਵਿੱਚ ਇਸ ਗਵਾਹ ਨੇ ਕਿਹਾ ਕਿ ਲੜੀ ਨੰਬਰ 8516 ਦਾ ਅੰਦਰਾਜ ਉਸ ਦੇ ਕਲਮੀ ਨਾਂ ਹੈ। ਇਹ ਅੰਦਰਾਜ ਜਦ ਪੰਜਵੀਂ ਦਾ ਸਰਟੀਫਿਕੇਟ ਦਿੱਤਾ ਗਿਆ ਸੀ ਉਸ ਤੋਂ ਪਹਿਲਾਂ ਦਾ ਹੈ। ਪੰਜਵੀਂ ਦਾ ਸਰਟੀਫਿਕੇਟ ਮਿਤੀ 31-03-1989 ਨੂੰ ਦਿੱਤਾ ਗਿਆ ਸੀ। ਲੜੀ ਨੰਬਰ 8516 ਦਾ ਅੰਦਰਾਜ 05-04-1984 ਨੂੰ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਝੂਠੀ ਗਵਾਹੀ ਦਿੱਤੀ ਹੋਵੇ।

ਧਿਰ ਦੋਮ ਤਿਲਕ ਰਾਜ ਨੇ ਆਪਣੇ ਸਬੂਤ ਵਿੱਚ ਆਪਣਾ ਬਿਆਨ ਹਲਫੀ ਪੇਸ਼ ਕੀਤਾ ਜਿਸ ਵਿੱਚ ਉਸ ਨੇ ਬਿਆਨ ਕੀਤਾ ਕਿ ਉਹ ਮੁਹੱਲਾ ਕਰਦਗਰਾਂ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਪੱਕਾ ਵਸਨੀਕ ਹੈ। ਇਹ ਕਿ ਇਹ ਚੋਣ ਪਟੀਸ਼ਨ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਚੱਲਣ ਯੋਗ ਨਾ ਹੈ। ਇਹ ਸਿਰਫ ਧਿਰ ਦੋਮ ਨੂੰ ਹਰਾਸ ਕਰਨ ਲਈ ਦਾਇਰ ਕੀਤੀ ਗਈ ਹੈ ਅਤੇ ਇਹ ਪਟੀਸ਼ਨ ਟਾਈਮ ਬਾਰਡ ਹੈ। ਇਹ ਕਿ ਪਟੀਸ਼ਨਰ ਸੱਥ ਰੰਗੜਾ ਦਾ ਪੱਕੇ ਤੌਰ ਤੇ ਵਸਨੀਕ ਨਾ ਹੈ। ਇਹ ਕਟੜਾ ਬਜਾਰ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹੈ। ਪਟੀਸ਼ਨਰ ਨੇ ਜਾਣ ਬੁੱਝ ਕੇ ਗਲਤ ਪਤਾ ਦਿੱਤਾ ਹੈ। ਇਹ ਗੱਲ ਸਹੀ ਹੈ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਬੈਕਵਰਡ ਕਲਾਸ ਲਈ ਰਿਜਰਵ ਕੀਤਾ ਗਿਆ ਹੈ। ਦੋਨਾਂ ਧਿਰਾਂ ਵਲੋਂ ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਚੋਣ ਲੜਨ ਲਈ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਭਰੇ ਸਨ। ਪਟੀਸ਼ਨਰ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ।

ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਉਪਰੰਤ ਦੋਨਾਂ ਉਮੀਦਵਾਰਾਂ ਦੇ ਕਾਗਜ਼ ਸਹੀ ਪਾਏ ਗਏ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਤੱਕੜੀ ਅਤੇ ਉਸ ਨੂੰ ਪੰਜਾ ਚੋਣ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕੀਤਾ ਗਿਆ ਸੀ। ਉਸ ਨੂੰ ਚੋਣ ਨਿਸ਼ਾਨ ਪੰਜਾ ਸਹੀ ਤੌਰ ਤੇ ਅਲਾਟ ਕੀਤਾ ਗਿਆ ਸੀ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਉਸ ਵਕਤ ਕੋਈ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਇਹ ਗੱਲ ਦਰੁਸਤ ਹੈ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਪਟੀਸ਼ਨਰ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਕਨਟੈਸਟਿੰਗ ਉਮੀਦਵਾਰ ਸਨ- ਕੁੱਲ 780 ਵੋਟਾਂ ਪੋਲ ਹੋਈਆਂ ਸਨ ਜਿਨ੍ਹਾਂ ਵਿੱਚੋਂ ਪਟੀਸ਼ਨਰ ਨੂੰ 364 ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੂੰ 416 ਵੋਟਾਂ ਪੋਲ ਹੋਈਆਂ ਸਨ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਵੇਲੇ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਸਾਹਮਣੇ ਕੋਈ ਇਤਰਾਜ਼ ਕੀਤਾ ਹੋਵੇ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਰੱਦ ਕੀਤੇ ਜਾਣ। ਉਸ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਬਿਲਕੁਲ ਸਹੀ ਪਾਏ ਗਏ ਸਨ ਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਵਲੋਂ ਪ੍ਰਵਾਨ ਕੀਤੇ ਗਏ ਸਨ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਵਲੋਂ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਖੁਦ ਨਾ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਨੂੰ ਪੇਸ਼ ਕੀਤੇ ਗਏ ਹੋਣ। ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਖੁਦ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਨੂੰ ਪੇਸ਼ ਕੀਤੇ ਗਏ ਸਨ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ 11-00 ਵਜੇ ਤੋਂ 3-00 ਵਜੇ ਦੇ ਦਰਮਿਆਨ ਪੇਸ਼ ਨਾ ਕੀਤੇ ਹੋਣ। ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਨੂੰ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਸਮੇਂ ਦੇ ਅੰਦਰ ਦਿੱਤੇ ਗਏ ਸਨ। ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਬੈਕਵਰਡ ਕਲਾਸ ਲਈ ਰਿਜ਼ਰਵ ਨੋਟੀਫਾਈਡ ਹੋਇਆ ਸੀ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਾਜਪੂਤ ਕਾਸਟ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਜਾਰੀ ਕੀਤੀ ਬੈਕਵਰਡ ਕਲਾਸ ਦੀ ਲਿਸਟ ਵਿੱਚ ਨਾ ਆਉਂਦੀ ਹੋਵੇ। ਇਹ ਗੱਲ ਵੀ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੇ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਸਬੰਧੀ ਡੈਕਲਾਰੇਸ਼ਨ ਸ਼ਾਮਲ ਨਾ ਕੀਤਾ ਹੋਵੇ। ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਸ਼ਾਮਲ ਕੀਤਾ ਗਿਆ ਸੀ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਕਸਯਪ ਰਾਜਪੂਤ ਜਾਤ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਜੋ ਪੰਜਾਬ ਸਰਕਾਰ ਦੁਵਾਰਾ ਬੈਕਵਰਡ ਘੋਸ਼ਿਤ ਕੀਤੀ ਗਈ ਹੈ ਅਤੇ ਕੰਪੀਟੈਂਟ ਅਥਾਰਿਟੀ ਵਲੋਂ ਉਸ ਨੂੰ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਸਰਟੀਫਿਕੇਟ ਦੀ ਇੱਕ ਕਾਪੀ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰਾਂ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਗਈ ਸੀ। ਅਸਲ ਸਰਟੀਫਿਕੇਟ ਅਗਜੀਬਟ ਆਰ-2 ਹੈ। ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਵੇਲੇ ਪਟੀਸ਼ਨਰ ਉੱਥੇ ਮੌਜੂਦ ਸੀ ਉਸ ਵਲੋਂ ਕੋਈ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ ਗਿਆ। ਇਹ ਵੀ ਇਨਕਾਰ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਵਲੋਂ ਗਲਤੀ ਨਾਲ ਉਸ ਨੂੰ ਚੋਣ ਨਿਸ਼ਾਨ ਪੰਜਾ ਅਲਾਟ ਕੀਤਾ ਹੋਵੇ। ਹਰ ਇੱਕ ਕੰਮ ਕਾਨੂੰਨ ਅਨੁਸਾਰ ਕੀਤਾ ਗਿਆ ਸੀ। ਪਟੀਸ਼ਨਰ ਦਵਾਰਾਂ ਲਾਏ ਗਏ ਦੋਸ਼ ਗਲਤ ਹਨ ਅਤੇ ਉਨ੍ਹਾਂ ਵਿੱਚ ਕੋਈ ਸੱਚਾਈ ਨਹੀਂ ਹੈ। ਇਹ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੀ ਵਾਰਡ ਨੰਬਰ 09 ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਤੋਂ ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਦੇ ਮੈਂਬਰ ਦੀ ਚੋਣ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਦਰੁਸਤ ਹੈ ਅਤੇ ਰੱਦ ਕਰਨ ਯੋਗ ਨਾਂ ਹੈ। ਪਟੀਸ਼ਨਰ ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਚੁਣਿਆ ਗਿਆ ਘੋਸ਼ਿਤ ਕਰਨਾ ਗਲਤ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਹਾਸਲ ਕਰਨ ਦੀਆਂ ਸ਼ਰਤਾਂ ਪੂਰੀਆਂ ਨਹੀਂ ਕਰਦਾ ਅਤੇ ਉਸ ਦੇ ਪ੍ਰੀਵਾਰਕ ਮੈਂਬਰਾਂ ਦੀ ਆਮਦਨ ਲਿਮਟ ਤੋਂ ਜਿਆਦਾ ਹੋਵੇ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਸਹੀ ਤੌਰ ਤੇ ਪ੍ਰਵਾਨ ਕੀਤੇ ਗਏ ਸਨ ਉਹ ਸਹੀ ਤੌਰ ਤੇ ਚੁਣਿਆ ਗਿਆ ਡਿਕਲੇਅਰ ਕੀਤਾ ਗਿਆ ਸੀ। ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਲਗਾਏ ਗਏ ਇਤਰਾਜ਼ ਕਾਨੂੰਨ ਦੀ ਪਾਲਣਾ ਨਾ ਕਰਨਾ ਅਤੇ ਚੋਣ ਵਿੱਚ ਬੇਨਿਯਮੀਆਂ ਤੋਂ ਇਨਕਾਰ ਕੀਤਾ ਜਾਂਦਾ ਹੈ। ਇਹ ਪਟੀਸ਼ਨ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਚੱਲਣ ਯੋਗ ਨਾ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਆਪਣਾ ਸਬੂਤ ਖਤਮ ਕੀਤਾ।

ਇਸ ਗਵਾਹ ਨੇ ਆਪਣੀ ਜਿਊਂ ਵਿੱਚ ਕਿਹਾ ਕਿ ਉਸ ਦਾ ਜਨਮ ਪਠਾਨਕੋਟ ਸ਼ਹਿਰ ਦਾ ਹੈ। ਉਸ ਦੇ ਜਨਮ ਤੋਂ ਸਾਲ ਦੇ ਸਾਲ ਬਾਅਦ ਉਸ ਦੇ ਮਾਤਾ ਪਿਤਾ ਸੁਲਤਾਨਪੁਰ ਆ ਕੇ ਵਸੇ ਸਨ। ਉਸ ਦੀਆਂ ਤਿੰਨ ਭੈਣਾਂ ਤੇ ਉਹ ਦੋ ਭਾਈ ਹਨ। ਉਸ ਦੀ ਇੱਕ ਭੈਣ ਮੋਨਕਾ ਦੇਵੀ ਹੈ ਉਸ ਦੀ 2005-06 ਵਿੱਚ ਸ਼ਾਦੀ ਹੋ ਚੁੱਕੀ ਹੈ। ਉਹ ਪਹਿਲੀ ਜਮਾਤ ਤੋਂ ਲੈ ਕੇ ਪੰਜਵੀਂ ਜਮਾਤ ਤੱਕ ਸਰਕਾਰੀ ਐਲੀਮੈਂਟਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਵਿਖੇ ਪੜ੍ਹਦਾ ਰਿਹਾ ਹੈ। ਮੁਹੱਲਾ ਕਰਦਗਰਾਂ ਵਿਖੇ ਉਹਨਾਂ ਦੀ ਰਿਹਾਇਸ਼ 12, 13 ਸਾਲ ਤੋਂ ਹੈ ਉਸ ਦੇ ਨਾਮ ਅੱਠ ਕਿੱਲੇ ਜਮੀਨ ਮੰਡ ਬੰਦੂ ਜਦੀਦ ਵਿਖੇ ਹੈ ਅਤੇ ਉਸ ਦੀ ਘਰਵਾਲੀ ਦੇ ਨਾਮ ਤਿੰਨ ਕਿੱਲੇ ਜਮੀਨ ਸੇਖਮਾਂਗੇ ਵਿਖੇ ਹੈ। ਉਸ ਦੇ ਬਾਪ ਜਾਂ ਉਸ ਦੇ ਕਿਸੇ ਬੱਚ ਦੇ ਨਾਮ ਕੋਈ ਜਮੀਨ ਨਹੀਂ, ਉਹ 2006 ਤੋਂ ਅਸਟਾਮ ਫਰੇਸ਼ ਦਾ ਕੰਮ ਕਰਦਾ ਹੈ। ਉਸ ਦਾ ਸੈਟਰਲ ਟਾਊਨ ਵਿਖੇ 10 ਮਰਲੇ ਦਾ ਪਲਾਟ ਹੈ ਜੋ 2010 ਵਿੱਚ ਉਸ ਨੇ ਪੰਜ ਲੱਖ ਰੁਪਏ ਵਿੱਚ ਖ਼ੀਦ ਕੀਤਾ ਸੀ। ਜੋ ਸੇਖਮਾਂਗੇ ਵਾਲੀ ਜਮੀਨ ਉਸ ਦੇ ਘਰਵਾਲੀ ਦੇ ਨਾਮ ਹੈ ਉਹ 2,65,000/- ਰੁਪਏ ਪ੍ਰਤੀ ਏਕੜ ਦੇ ਹਿਸਾਬ ਨਾਲ ਖ਼ੀਦੀ ਸੀ। ਉਸ ਨੂੰ ਨਹੀਂ ਪਤਾ ਕਿ ਉਸ ਦੀ ਘਰਵਾਲੀ ਕਿੰਨੇ ਰੁਪਏ ਮਹੀਨਾ ਕਮਾਂ ਲੈਂਦੀ ਹੈ। ਇਹ ਗਲਤ ਹੈ ਕਿ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਨਾਲ ਸਬੰਧ ਨਾ ਰੱਖਦਾ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਗਲਤ ਤੱਥਾਂ ਦੇ ਅਧਾਰ ਤੇ ਬੈਕਵਰਡ ਕਲਾਸ

ਦਾ ਸਰਟੀਫਿਕੇਟ ਬਣਾਇਆ ਹੋਵੇ। ਇਹ ਗੱਲ ਠੀਕ ਹੈ ਕਿ ਉਸ ਨੇ ਜੋ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਬਣਾਇਆ ਹੈ ਉਸ ਸਬੰਧੀ ਇਨਕੁਆਇਰੀ ਚੱਲ ਰਹੀ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਸਹੀ ਸਮੇਂ ਤੇ ਦਾਖਲ ਨਾ ਕਰਵਾਏ ਹੋਣ ਜਦ ਉਹ ਆਪਣੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਦੇਣ ਗਿਆ ਸੀ ਤਾਂ ਉਸ ਦੇ ਨਾਲ ਸਿਰਫ ਉਸ ਦੀ ਘਰਵਾਲੀ ਸੀ। ਹੋਰ ਕੋਈ ਨਹੀਂ ਸੀ। ਇਹ ਠੀਕ ਹੈ ਕਿ ਉਹ ਰਾਜਪੂਤ ਜਾਤੀ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਇਹ ਗਲਤ ਹੈ ਕਿ ਉਸ ਨੇ ਆਪਣੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰਾਂ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਨਾ ਲਗਾਇਆ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਸ ਦੇ ਕਾਗਜ਼ਾਂ ਦੀ ਪੜਤਾਲ ਸਮੇਂ ਆਰ.ਓ.ਪਾਸ ਉਸ ਦੇ ਕਾਗਜ਼ ਰੱਦ ਕਰਨ ਲਈ ਇਤਰਾਜ਼ ਕੀਤਾ ਹੋਵੇ। ਉਹ ਆਪਣੇ ਕਾਗਜ਼ 12, 12.30 ਵਜੇ ਇਕੱਲਾ ਹੀ ਜਾਕੇ ਦੇ ਆਇਆ ਸੀ, ਉਹ ਸ਼ਿਵ ਕੁਮਾਰ ਨੂੰ ਪਿਛਲੇ 10,12 ਸਾਲ ਤੋਂ ਜਾਣਦਾ ਹੈ। ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਉਸ ਦਾ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਦਰੁਸਤ ਨਾ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਸ ਦਾ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਕਾਬਲੇ ਰੱਦ ਹੋਵੇ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਉਹ ਆਪਣੇ ਮੁਢਲੇ ਲਈ ਝੂਠੀ ਗਵਾਹੀ ਦੇ ਰਿਹਾ ਹੈ।

ਕੌਂਸਿਲ ਪਟੀਸ਼ਨਰ ਨੇ ਆਪਣੀ ਬਹਿਸ ਸ਼ੁਰੂ ਕਰਦਿਆਂ ਕਿਹਾ ਕਿ ਮਿਤੀ 25-02-2015 ਨੂੰ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਦੇ ਵਾਰਡ ਨੰਬਰ 09 ਦੇ ਮੈਂਬਰ ਦੀ ਚੋਣ ਹੋਈ ਸੀ। ਇਹ ਵਾਰਡ ਬੈਕਵਰਡ ਕਲਾਸ ਲਈ ਨੋਟੀਫਾਈਡ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਵਾਰਡ ਦੇ ਮੈਂਬਰ ਦੀ ਚੋਣ ਲਈ ਨੀਅਤ ਕੀਤੀ ਤਰੀਖ 13-02-2015 ਤੱਕ ਪਟੀਸ਼ਨਰ ਜੋ ਕਿ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਸੀ ਨੇ ਆਪਣਾ ਨਾਮਜ਼ਦਗੀ ਪੱਤਰ ਦਾਖਲ ਕੀਤਾ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਨਾਮਜ਼ਦਗੀ ਪੱਤਰ ਦਾਖਲ ਕੀਤਾ। ਪਟੀਸ਼ਨਰ ਧੋਬੀ (ਬੈਕਵਰਡ ਕਲਾਸ) ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੇ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਸ਼ਾਮਲ ਨਹੀਂ ਸੀ ਕੀਤਾ ਨਾ ਹੀ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਖੁਦ ਜਾਂ ਆਪਣੇ ਪਰਪੋਜ਼ਰ ਰਾਹੀਂ ਮਿਥੀ ਗਈ ਤਰੀਖ ਸਮੇਂ ਤੇ ਆਪਣੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਪੇਸ਼ ਕੀਤੇ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਨੇ ਪਟੀਸ਼ਨਰ ਦੇ ਇਤਰਾਜ਼ਾਂ ਤੇ ਕੋਈ ਐਕਸ਼ਨ ਨਹੀਂ ਲਿਆ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਦਾ ਨੋਮੀਨੇਸ਼ਨ ਪ੍ਰਵਾਨ ਕਰਕੇ ਉਸਨੂੰ ਪੰਜਾ ਚੋਣ ਨਿਸ਼ਾਨ ਅਲਾਟ ਕਰ ਦਿੱਤਾ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਚੋਣ ਨਿਸ਼ਾਨ ਤੱਕੜੀ ਅਲਾਟ ਕਰ ਦਿੱਤਾ। ਵੋਟਾਂ ਵਾਲੇ ਦਿਨ ਕੁੱਲ 780 ਵੋਟਾਂ ਪੋਲ ਹੋਈਆਂ ਜਿਸ ਵਿੱਚੋਂ ਪਟੀਸ਼ਨਰ ਨੂੰ 364 ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੂੰ 416 ਵੋਟਾਂ ਪੋਲ ਹੋਈਆਂ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਚੁਣਿਆ ਹੋਇਆ ਮੈਂਬਰ ਡਿਕਲੇਅਰ ਕਰ ਦਿੱਤਾ ਗਿਆ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਕਿਸੇ ਵੀ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਤੁਅੱਲਕ ਨਹੀਂ ਰੱਖਦਾ। ਇਸ ਲਈ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੇ ਮੈਂਬਰ ਦੀ ਚੋਣ ਹੇਠ ਲਿਖੀਆਂ ਵਜ੍ਹਾ ਕਰਕੇ ਰੱਦ ਕਰਨ ਯੋਗ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਖੁਦ ਜਾਂ ਆਪਣੇ ਪਰਪੋਜ਼ਰ ਰਾਹੀਂ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਆਰ.ਓ.ਨੂੰ ਪੇਸ਼ ਨਹੀਂ ਕੀਤੇ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਵਕਤ ਸਿਰ ਸਵੇਰੇ 11 ਵਜੇ ਤੋਂ ਸ਼ਾਮ 3 ਵਜੇ ਦੇ ਅੰਦਰ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਪੇਸ਼ ਨਹੀਂ ਕੀਤੇ। ਗਲਤ ਨਾਮੀਨੇਸ਼ਨ ਪੇਪਰ ਪ੍ਰਾਪਤ ਕਰਨ ਸਬੰਧੀ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਪਾਸ ਇਤਰਾਜ਼ ਕੀਤਾ ਤਾਂ ਉਹਨਾਂ ਵਲੋਂ ਕੋਈ ਹੁਕਮ ਪਾਸ ਨਹੀਂ ਕੀਤਾ ਜਿਸ ਕਰਕੇ ਵਾਰਡ ਨੰਬਰ 09 ਦੇ ਉਮੀਦਵਾਰ ਦੀ ਚੋਣ ਤੇ ਅਸਰ ਪਿਆ। ਜੇਕਰ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 02 ਵਲੋਂ ਵਕਤ ਸਿਰ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਨਾਮਜ਼ਦਗੀ ਪੇਪਰ ਰੱਦ ਕਰ ਦਿੱਤੇ ਜਾਂਦੇ ਤਾਂ ਪਟੀਸ਼ਨਰ ਵਾਰਡ ਨੰਬਰ 09 ਤੋਂ ਅਨਅਪੋਜ਼ਡ ਚੁਣਿਆ ਜਾਣਾ ਸੀ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਕਿਹਾ ਉਹ ਰਾਜਪੂਤ ਜਾਤੀ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ। ਇਹ ਜਾਤੀ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਬੈਕਵਰਡ ਕਲਾਸ ਘੋਸ਼ਿਤ ਨਹੀਂ ਕੀਤੀ ਗਈ। ਰਸਪਾਂਡੈਂਟ ਨੇ ਜੋ ਸਰਟੀਫਿਕੇਟ ਓ.ਬੀ.ਸੀ ਦਾ ਹਾਸਲ ਕੀਤਾ ਹੈ ਉਹ ਗਲਤ ਤਰੀਕੇ ਨਾਲ ਗਲਤ ਸਬੂਤ ਲਗਾਕੇ ਹਾਸਲ ਕੀਤਾ ਗਿਆ ਹੈ ਜਿਸ ਸਬੰਧੀ ਇਨਕੁਆਰੀ ਚੱਲ ਰਹੀ ਹੈ। ਇਹ ਸਰਟੀਫਿਕੇਟ ਅਮਦਨ ਦੇ ਅਧਾਰ ਤੇ ਜਾਰੀ ਕਰਵਾਇਆ ਗਿਆ ਹੈ ਜਦਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੀ ਆਪਣੀ ਅੱਠ ਕਿੱਲੇ ਅਤੇ ਉਸ ਦੀ ਘਰਵਾਲੀ ਦੀ ਤਿੰਨ ਕਿੱਲੇ ਜਮੀਨ ਮਾਲਕੀ ਹੈ। ਇਸ ਕਰਕੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਗਲਤ ਤੱਥਾਂ ਦੇ ਅਧਾਰ ਤੇ ਓ.ਬੀ.ਸੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਬਣਵਾਇਆ ਹੈ। ਇਸ ਕਰਕੇ ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੇ ਵਾਰਡ ਨੰਬਰ 09 ਦੀ ਚੋਣ ਰੱਦ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਚੁਣਿਆ ਹੋਇਆ ਉਮੀਦਵਾਰ ਘੋਸ਼ਿਤ ਕੀਤਾ ਜਾਵੇ। ਕੌਂਸਿਲ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਆਪਣੇ ਕੇਸ ਦੇ ਹੱਕ ਵਿੱਚ ਬਹਿਸ ਜਾਰੀ ਰੱਖਦਿਆਂ ਕਿਹਾ ਕਿ ਮੁਤਾਬਿਕ ਅਗਜੀਬਟ ਪੀ-8 ਤਿਲਕ ਰਾਜ ਦੇ ਸਕੂਲ ਵਿੱਚ ਦਾਖਲ ਹੋਣ ਸਮੇਂ ਉਸ ਦੀ ਜਾਤ ਰਾਜਪੂਤ ਲਿਖੀ ਗਈ ਸੀ। ਦਾਖਲਾ ਫਾਰਮ ਅਗਜੀਬਟ ਪੀ-9 ਵਿੱਚ ਵੀ ਲੜੀ ਨੰਬਰ 8516 ਤੇ ਤਿਲਕ ਰਾਜ ਪੁੱਤਰ ਜਗਦੀਸ਼ ਲਾਲ ਦੇ ਦਾਖਲ ਫਾਰਮ ਦੇ ਖਾਨਾ ਨੰਬਰ 08 ਵਿੱਚ ਬੰਸ ਰਾਜਪੂਤ ਲਿਖਿਆਂ ਹੋਇਆ ਹੈ। ਮੋਨਕਾ ਦੇਵੀ ਪੁੱਤਰੀ ਜਗਦੀਸ਼ ਚੰਦ ਦੇ ਨਾਮ ਤੇ ਸਰਟੀਫਿਕੇਟ ਮਾਰਕ ਡੀ.ਏ ਵਿੱਚ ਉਸ ਦੀ ਜਾਤ ਕਸ਼ਯਪ ਲਿਖਿਆ ਹੋਇਆ ਹੈ। ਤਿਲਕ ਰਾਜ ਵਲੋਂ ਆਪਣੇ ਬਿਆਨ ਦੀ ਜਿਰ੍ਹਾਂ ਵਿੱਚ ਮੰਨਿਆ ਹੈ ਕਿ ਰਾਜਪੂਤ ਜਾਤ ਬੈਕਵਰਡ ਕਲਾਸ ਵਿੱਚ ਨਹੀਂ ਆਉਂਦੀ।

ਇਹ ਦੋਨੋਂ ਜਾਤਾਂ ਰਾਜਪੂਤ ਅਤੇ ਕਸ਼ਯਪ ਬੈਕਵਰਡ ਕਲਾਸ ਵਿੱਚ ਨਹੀਂ ਆਉਂਦੀਆਂ। ਕੌਂਸਿਲ ਅਪੀਲਾਂਟ ਨੇ Law Finder Doc 1925 AIR (Lah) 299 LAHORE HIGH COURT D/d 24-02-1925 Bawa Sarup Singh V/s The Crown, SUPREME COURT OF INDIA Civil Appeal No. 1622 of 1961 D/d 21-05-1968 Dina V/s Narayan Singh & another, Civil Appeal No. 2229 of 1978 D/d 07-11-1979 Dadaji alias Dina V/s Sukhdeobabu and others ਅਤੇ Civil Appeal No. 1869 of 1967 D/d 28-11-1968 Parsham and another V/s Shvchand and other ਅਥਾਰਟੀਆਂ ਪੇਸ਼ ਕੀਤੀਆਂ ਅਤੇ ਇਨ੍ਹਾਂ ਦਾ ਹਵਾਲਾ ਦਿੰਦੇ ਹੋਏ ਕਿਹਾ ਕਿ ਇਸ ਕਰਕੇ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੀ ਚੋਣ ਰੱਦ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਚੁਣਿਆ ਹੋਇਆ ਘੋਸ਼ਿਤ ਕੀਤਾ ਜਾਵੇ।

ਕੌਂਸਿਲ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਆਪਣੀ ਬਹਿਸ ਸ਼ੁਰੂ ਕਰਦਿਆਂ ਕਿਹਾ ਕਿ ਪਟੀਸ਼ਨਰ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਦੀ ਸਕਰੂਟਨੀ ਵੇਲੇ ਮੌਕਾਂ ਤੇ ਮੌਜੂਦ ਸੀ ਉਸ ਵਲੋਂ ਉਸ ਵੇਲੇ ਕੋਈ ਕੋਈ ਜਬਾਨੀ ਜਾਂ ਲਿਖਤੀ ਇਤਰਾਜ਼ ਪੇਸ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਉਸ ਵਲੋਂ ਆਰ.ਓ. ਪਾਸ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ ਕਿ ਰਾਜਪੂਤ ਜਾਤੀ ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਂ ਹੈ। ਉਹਨਾਂ ਵਲੋਂ ਇਹ ਵੀ ਇਤਰਾਜ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 1 ਦੇ ਵਲੋਂ ਪੇਸ਼ ਕੀਤਾ ਗਿਆ ਸਰਟੀਫਿਕੇਟ ਗਲਤ ਹੈ ਇਸ ਲਈ ਉਸ ਦੇ ਨੋਮੀਨੇਸ਼ਨ ਬਿਲਕੁਲ ਸਹੀ ਪਾਉਣ ਉਪਰੰਤ ਉਸ ਨੂੰ ਚੋਣ ਨਿਸ਼ਾਨ ਪੰਜਾਬ ਅਲਾਟ ਕੀਤਾ ਗਿਆ ਸੀ। ਕੌਂਸਿਲ ਧਿਰ ਦੋਮ ਨੇ ਆਪਣੀ ਬਹਿਸ ਵਿੱਚ ਕਿਹਾ ਕਿ ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਆਪਣੇ ਪੇਪਰ ਆਰ.ਓ. ਖੁਦ ਨਾ ਦਿੱਤੇ ਹੋਣ ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਸਕਰੂਟਨੀ ਵੇਲੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਮੌਕਾਂ ਤੇ ਹਾਜ਼ਰ ਨਾਂ ਹੋਵੇ। ਕੌਂਸਿਲ ਰਸਪਾਂਡੈਂਟ ਨੇ ਆਪਣੀ ਬਹਿਸ ਜਾਰੀ ਰੱਖਦਿਆਂ ਕਿਹਾ ਕਿ ਰਾਜਪੂਤ ਜਾਤੀ ਪੰਜਾਬ ਸਰਕਾਰ ਦੁਆਰਾ ਬੈਕਵਰਡ ਕਲਾਸ ਘੋਸ਼ਿਤ ਕੀਤੀ ਗਈ ਹੈ ਜੇਕਰ ਰਸਪਾਂਡੈਂਟ ਦੇ ਸਰਟੀਫਿਕੇਟ ਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਕੋਈ ਇਤਰਾਜ਼ ਸੀ ਤਾਂ ਪਟੀਸ਼ਨਰ ਸਕਰੂਟਨੀ ਸਮੇਂ ਇਤਰਾਜ਼ ਕਰ ਸਕਦਾ ਸੀ ਜੋ ਨਹੀਂ ਕੀਤਾ ਗਿਆ। ਵੋਟਾਂ ਦੀ ਗਣਤੀ ਉਪਰੰਤ ਪਾਇਆ ਗਿਆ ਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਵਿੱਚੋਂ ਪਟੀਸ਼ਨਰ ਨੂੰ 364 ਵੋਟਾਂ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੂੰ 416 ਵੋਟਾਂ ਪੋਲ ਹੋਈਆਂ ਅਤੇ ਰਸਪਾਂਡੈਂਟ ਨੂੰ ਵਾਰਡ ਨੰਬਰ 09 ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦਾ ਚੁਣਿਆ ਹੋਇਆ ਮੈਂਬਰ ਘੋਸ਼ਿਤ ਕੀਤਾ ਗਿਆ। ਕੌਂਸਿਲ ਧਿਰ ਦੋਮ ਵਲੋਂ ਆਪਣੀ ਬਹਿਸ ਜਾਰੀ ਰੱਖਦਿਆਂ ਕਿਹਾ ਕਿ ਇਹ ਗੱਲ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਵਲੋਂ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਸਮੇਂ ਸਿਰ ਦਾਖਲ ਨਾ ਕੀਤੇ ਹੋਣ। ਇਹ ਵੀ ਗਲਤ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਨੇ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰ ਨਾਲ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਸਰਟੀਫਿਕੇਟ ਨਾ ਲਗਾਇਆ ਹੋਵੇ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਵਲੋਂ ਆਪਣੇ ਨੋਮੀਨੇਸ਼ਨ ਪੇਪਰਾਂ ਨਾਲ ਕੰਪੀਟੈਂਟ ਅਥਾਰਟੀ ਵਲੋਂ ਬੈਕਵਰਡ ਕਲਾਸ ਦਾ ਜਾਰੀ ਕੀਤਾ ਸਰਟੀਫਿਕੇਟ ਸ਼ਾਮਲ ਕੀਤਾ ਗਿਆ ਸੀ ਜਿਸ ਤੇ ਉਸ ਵਕਤ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਕੋਈ ਇਤਰਾਜ਼ ਪੇਸ਼ ਨਹੀਂ ਸੀ ਕੀਤਾ। ਪਟੀਸ਼ਨਰ ਜੋ ਕਿ ਪਹਿਲਾਂ ਵੀ ਮਿਊਂਸਪਲ, ਕਮੇਟੀ ਦਾ ਚੁਣਿਆ ਹੋਇਆ ਮੈਂਬਰ ਸੀ ਵਲੋਂ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੀ ਭੈਣ ਮੋਨਕਾ ਦੇਵੀ ਨੂੰ ਓ.ਬੀ.ਸੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਵੇਲੇ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਮੋਨਕਾ ਦੇਵੀ ਪੁੱਤਰੀ ਜਗਦੀਸ਼ ਚੰਦ ਨੂੰ ਤਸਦੀਕ ਕੀਤਾ ਗਿਆ ਸੀ। ਹੁਣ ਇਹ ਇਤਰਾਜ਼ ਕਿਸ ਤਰ੍ਹਾਂ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ। ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਕੀਤੇ ਇਤਰਾਜ਼ਾਂ ਦਾ ਕੋਈ ਅਧਾਰ ਨਾ ਹੈ। ਪਟੀਸ਼ਨਰ ਦੇ ਇਤਰਾਜ਼ ਖਾਰਜ ਕੀਤੇ ਜਾਣ ਅਤੇ ਉਸ ਦੀ ਪਟੀਸ਼ਨ ਵੀ ਖਾਰਜ ਕੀਤੀ ਜਾਵੇ। ਪਟੀਸ਼ਨ ਸਮੇਂ ਤੋਂ ਬਾਅਦ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਕਰਕੇ ਵੀ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕਰਨ ਯੋਗ ਹੈ।

ਮੈਂ ਦੋਨਾਂ ਧਿਰਾਂ ਦੇ ਵਿਦਵਾਨ ਵਕੀਲਾਂ ਦੀ ਬਹਿਸ ਸੁਣੀ ਹੈ ਅਤੇ ਮਿਸਲ ਤੇ ਆਏ ਦਰਸਤਾਵੇਜ਼ਾਂ ਦੀ ਗਹੁ ਨਾਲ ਘੋਖ ਕੀਤੀ ਹੈ। ਪਟੀਸ਼ਨਰ ਦੀ ਇਹ ਪਟੀਸ਼ਨ ਪ੍ਰਵਾਨ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿਉਂਕਿ ਮਿਤੀ 11-04-2015 ਨੂੰ ਸਨੀਵਾਰ ਅਤੇ ਮਿਤੀ 12-04-2015 ਨੂੰ ਐਤਵਾਰ ਦੀ ਛੁੱਟੀ ਅਤੇ ਇਸ ਦਿਨ ਕੋਰਟ ਬੰਦ ਹੋਣ ਕਰਕੇ ਇਹ ਪਟੀਸ਼ਨ ਮਿਤੀ 13-04-2015 ਨੂੰ ਦਾਇਰ ਕੀਤੀ ਗਈ ਹੈ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਦੇ ਸਕੂਲ ਵਿੱਚ ਦਾਖਲੇ ਸਮੇਂ ਉਸ ਦੇ ਮਾਪਿਆਂ ਵਲੋਂ ਰਾਜਪੂਤ ਜਾਤੀ ਲਿਖੀ ਗਈ ਹੈ ਜੋ ਕਿ ਸਰਕਾਰ ਐਲੀਮੈਂਟਰੀ ਸਕੂਲ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਵਲੋਂ ਜਾਰੀ ਕੀਤੇ ਸਰਟੀਫਿਕੇਟ ਅਗਜੀਬਟ ਪੀ-8 ਅਤੇ ਅਗਜੀਬਟ ਪੀ-9 ਤੋਂ ਤਸਦੀਕ ਹੁੰਦਾ ਹੈ ਕਿ ਇਹ ਜਾਤੀ ਪੰਜਾਬ ਸਰਕਾਰ ਦੁਆਰਾ ਬੈਕਵਰਡ ਕਲਾਸ ਘੋਸ਼ਿਤ ਨਹੀਂ ਕੀਤੀ ਗਈ। ਇਨ੍ਹਾਂ ਸਰਟੀਫਿਕੇਟਾਂ ਦੀ ਤਸਦੀਕ ਹਰਭਜਨ ਸਿੰਘ ਹੈਂਡ ਟੀਚਰ ਅਤੇ ਸੰਤੋਸ਼ ਕੁਮਾਰੀ ਸੇਵਾ ਮੁਕਤ ਸੈਟਰ ਹੈਂਡ ਟੀਚਰ ਨੇ ਆਪਣੇ ਬਿਆਨਾਂ ਨਾਲ ਸਾਬਤ ਕੀਤੀ ਹੈ। ਧਿਰ ਦੋਮ ਤਿਲਕ ਰਾਜ ਨੇ ਆਪਣੇ ਬਿਆਨਾਂ ਦੀ ਜ਼ਿਰੂਰ ਵਿੱਚ ਇਸ ਗੱਲ ਨੂੰ ਮੰਨਿਆ ਕਿ ਉਸ ਦੀ ਜਾਤੀ ਰਾਜਪੂਤ ਹੈ ਅਤੇ ਉਸ ਦੀ ਭੈਣ ਮੋਨਕਾ ਦੇਵੀ ਜਿਸ ਦੇ ਕਾਸਟ ਸਰਟੀਫਿਕੇਟ ਵਿੱਚ ਜੋ ਕਿ ਅੰਗਰੇਜ਼ੀ ਵਿੱਚ ਹੈ, ਉਸ ਦੀ ਕਾਸਟ ਸਰਟੀਫਿਕੇਟ ਵਿੱਚ ਕਸ਼ਯਪ ਜਾਤੀ ਦੱਸੀ ਹੋਈ ਹੈ ਜੋ ਓ.ਬੀ.ਸੀ ਜਾਤੀ ਦੀ ਲਿਸ਼ਟ ਮੁਤਾਬਿਕ ਇਹ ਜਾਤੀ

ਓ.ਬੀ.ਸੀ ਵਿੱਚ ਨਹੀਂ ਆਉਂਦੀ ਹੈ। ਜਿਸ ਤੋਂ ਸਿੱਧ ਹੁੰਦਾ ਹੈ ਕਿ ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ ਕਿਉਂਕਿ ਵਾਰਡ ਨੰਬਰ 09 ਜੋ ਕਿ ਬੈਕਵਰਡ ਜਾਤੀ ਦੇ ਉਮੀਦਵਾਰਾਂ ਲਈ ਰਾਖਵਾ ਕੀਤਾ ਗਿਆ ਸੀ। ਰਸਪਾਂਡੈਂਟ ਨੰਬਰ 01 ਬੈਕਵਰਡ ਕਲਾਸ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ। ਮਿਸਲ ਵਿੱਚ ਸ਼ਾਮਲ ਹੋਏ ਦਸਤਾਵੇਜ਼ਾਂ ਅਤੇ ਵਿਦਵਾਨ ਵਕੀਲਾਂ ਦੀ ਬਹਿਸ ਤੋਂ ਇਹ ਸਿੱਧ ਹੁੰਦਾ ਹੈ ਕਿ ਧਿਰ ਦੋਮ ਨੰਬਰ 01 ਓ.ਬੀ.ਸੀ ਜਾਤੀ ਨਾਲ ਸਬੰਧ ਨਹੀਂ ਰੱਖਦਾ ਹੈ। ਇਸ ਲਈ ਮਿਊਂਸਪਲ ਕਮੇਟੀ ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਦੇ ਵਾਰਡ ਨੰਬਰ 09 ਵਿੱਚੋਂ ਘੋਸ਼ਿਤ ਕੀਤੇ ਗਏ ਧਿਰ ਦੋਮ ਨੰ. 01 ਦੀ ਚੋਣ ਰੱਦ ਕੀਤੀ ਜਾਂਦੀ ਹੈ। ਇਸ ਦੀ ਸੂਚਨਾ ਕਾਰਜ ਸਾਧਕ ਅਫਸਰ, ਨਗਰ ਕੌਂਸਲ, ਸੁਲਤਾਨਪੁਰ ਲੋਧੀ ਨੂੰ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿਤ ਭੇਜੀ ਜਾਵੇ। ਸੋ ਮਿਸਲ ਬਾਅਦ ਤਰਤੀਬ ਵਾ ਤਕਮੀਲ ਦਾਖਲ ਰਿਕਾਰਡ ਰੂਮ ਹੋਵੇ।

ਹੁਕਮ ਸਣਾਇਆ ਗਿਆ।

ਮਿਤੀ 15-07-2016

Sd/-

(Jagpal Singh Sandhu)

State Election Commissioner, Punjab

ਸਹੀ/-

ਉਪ ਮੰਡਲ ਮੈਜਿਸਟਰੇਟ-ਕਮ-

ਇਲੈਕਸ਼ਨ ਟ੍ਰਿਬਿਊਨਲ, ਫਗਵਾੜਾ।

LOCAL GOVERNMENT DEPARTMENT, PUNJAB

OFFICE OF REGIONAL DEPUTY DIRECTOR, LOCAL GOVERNMENT, LUDHIANA

NOTIFICATION

The 6th February, 2017

No.MC/Gobindgarh/FGS/PSLUM/1770.- in exercise of the powers conferred passed resolution No.83 Dt. 17.08.2016 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the *Gobindgarh* Municipal Council, hereby makes the following bye-laws for street vending, namely:--

" The Street Vendors by laws 2015 for the Municipal Council Gobindgarh (Fatehgarh Sahib)

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Municipal Council Gobindgarh**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "Appropriate Government" means the Government of Punjab;
 - (c) "Bye-laws" means the bye-laws made under section 37 of the Act;
 - (d) "Executive Officer" means officer in charge of Municipal Council Gobindgarh as the case may be;
 - (e) "festive market" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (f) "Grievance Redressal Committee" means a committee constituted by the Government of Punjab

under sub-section (1) of section 20 of the Act;

- (g) "*Heritage Market*" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (h) "*holding capacity*" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (i) "*local authority*" means a Municipal Council entitled to function as a local authority in Gobindgarh city to provide civic services and regulate street vending in that city;
- (j) "*mobile vendors*" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- (k) "*Executive Officer*" means the officer in charge of Municipal Council Gobindgarh in Punjab State;
- (l) "*Municipal Committee*" means a committee as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
- (m) "*natural market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (n) "*niche market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (o) "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p) "*notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q) "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r) "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable the Municipal Act, as the case may be it Act;
- (s) "*Public purpose*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at

large.

- (t) "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
- (u) "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (v) "*Section*" means section of the Act;
- (w) "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
- (x) "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
- (y) "*Town Vending Committee*" means the body constituted by the appropriate Government under section 22 of the Act;
- (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.
- (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself creating problem for the traffic movement as the mobile vending invariably takes place from the carriage way.
 - ii. **Restricted vending zones should be linked with the road width:**
 - a There shall not be any stationary street vending on a road having width equal to 3.5 meters. However,

street vending shall be allowed if such road is declared as no vehicular road.

- b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
- d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
- f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
- g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

- a. No vending shall be allowed around 200 meters of the Secretariat, District Courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, Cantonment Board and ASI and state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.

4. A street vender, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;

- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
- II. The fees shall be minimum Rs.150/and maximum Rs.1500 per month. Different rates / fees shall be fixed for each category of-vendors or and market
- III. Every year a minimum 10% increase shall be imposed.
- IV. Local authority can collect vending fee annually instead of monthly, if it deems fit to do so.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 300 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;

- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;
- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous

- i. The Executive Officer may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Executive Officer Licese. If Street Vender commits the breach of these bye- laws , shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Executive Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Executive Officer").
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Executive Officer") can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

(IN MTRS)

Sr. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
For two lane traffic minimum 7 mtrs. is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No.MC/Sirhind/LDH/PSULM/1776.- In exercise of the powers conferred MC Sirhind passed resolution No.87 Dt. 29.01.2016 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Sirhind- Fatehgarh Sahib, Municipal Council, hereby makes the following bye-laws for street vending, namely:--

“The street vendors Bye laws-2015 for the Municipal Council Sirhind-Fatehgarh Sahib

CHAPTER-1

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called The street Vendors (Protection of Livelihood and Regulation of Street Vending Bye laws-2015 for the Municipal Council Sirhind-Fatehgarh Sahib .It shall come into force on such date, as notified in the Official Gazette,by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act,2014 (Central Act 7 of 2014);
 - b) “*Appropriate Government*” means the Government of Punjab;
 - c) “*Bye laws*” means the bye-laws made under section 37 of the Act;
 - d) “*Chief Executive Officer*” means officer in charge of Municipal Council, Sirhind-Fatehgarh Sahib
 - e) “*Festival market*” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
 - f) “*Grievance Redressed Committee*” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
 - g) “*Heritage Market*” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale an purchase of products or services and has been determined as such by the lock authority on the recommendations of the Town Vending Committee;
 - h) “*Holding Capacity*” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
 - i) “*Local Authority*” means a Municipal Council Sirhind-Fatehgarh Sahib
 - j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - k) “*Executive Officer*” means the Executive Officer of the Municipal Council of Sirhind-Fatehgarh Sahib in Punjab state;
 - l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decided an appeal of a street vendor as per section 11 and section 20of the Act,
 - m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
 - n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
 - o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such

- by local authority on the recommendations of the Town vending Committee;
- p) “*Notification*” means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
 - q) “*Plan*” means the plan made under first schedule of section 21 of the Act;
 - r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
 - s) “*public purpose*” includes in the context of the Act (i) widening of, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ; (x) creation of parks; gardens and recreational area; (xi) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
 - t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
 - u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - v) “*Section*” means section of the Act;
 - w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
 - x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use or offering services to the general public, in street ,lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
 - y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
 - z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
 - aa) “*Weekly market*” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as

respectively assigned to them in Act.

CHAPTER-11

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.

1. There shall not be any restricted vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.

ii. Restricted vending zones should be linked with the road width;

- a) There shall not be any stationary street vending on a road having width equal to 3 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
- d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.

iii. No vending zone:-

- a. No vending shall be allowed around 200 meters of District Administration Block, District Court Complex, SDM Office, Tehsil Office, Bus Que Shelter, Bassi Road Sirhind, Railway Station & Municipal Council Office & NH.1 (National Highway)
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.
- c. Railway overbridge to Choungi No.4 Bassi road are selected as no vending zone.
- d. There shall not be any stationary street vending on a road having width equal to 3 meters

IV Vending Zone:-

- a. Old Anaj Mandi, Sirhind Mandi.
- b. Under the Railway Over Bridge Bassi Road Sirhind other than crossing Points
- c. Near Telephone Exchange City Road up to Diffance band, Sirhind Mandi
- d. Under the overbridge N.H.1 (G.T.Road) Sirhind.

- e. There Shall be allowed mobile vending in other city all the street having a width more than 3 meter there shall be allow mobile vending in all residential & commercial area of the city

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- 1. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or Interfere with any other structures , signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- vii. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in vending zones;

- i. The vending fees will be Rs 500/-per month or 1250/-for every 3 months.
- ii. Renewal of vending certificate fees will be Rs. 100/- payable every years.
- iii. Every year a minimum 10% increase shall be imposed.
- iv. Local Authority can collect vending fees Quarterly instead of monthly, if it deems fit to do so.

- V For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.
- vi Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less then rupees 1000 which may be extended up to rupees 2000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to two hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV

MISCELENEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- II. local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solutions.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.

- ii. Proper collection of solid waste management system have to be provided by the Local Authority;
- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Executive Officer/President or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March Next following the date with the permission of the Executive Officer/President. It street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressal committee, be Punishable with fine Rs. 500/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to two hundred rupees for everyday after the first instance of breach. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Executive Officer/President or the Authorized officer (here in referred to as " authorized Officer").
- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Executive Officer/President or the authorized Officer. (here in referred to as " authorized officer").
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions ,the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road

3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/SAMRALA/LDH/PSULM/1795.- In exercise of the powers conferred by MC Samrala passed resolution No.99 Dt. 30.10.2015 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Samrala, Municipal Council, hereby makes the following bye-laws for street vending, namely:--

"The Street Venders Bye laws-2016 for Municipal Council Samrala

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Samrala Municipal Council.**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "Appropriate Government" means the Government of Punjab;
 - (c) "Bye-laws" means the bye-laws made under section 37 of the Act;

- (d) "*Executive Officer*" means officer in charge of Samrala Municipal Council, Samrala as the case may be;
- (e) "*festive market*" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (f) "*Grievance Redressal Committee*" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
- (g) "*Heritage Market*" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (h) "*holding capacity*" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (i) "*local authority*" means a Municipal Council or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending in that city or town;
- (j) "*mobile vendors*" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- (k) "*Municipal Council*" means a council as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
- (m) "*natural market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- n) "*niche market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- o) "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p) "*notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q) "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r) "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Improvement trust Act or the Municipal Act, as the case may be it Act;
- (s) "*Public put-pose*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for

some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.

- (t) "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
 - (u) "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (v) "*Section*" means section of the Act;
 - (w) "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
 - (x) "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
 - (y) "*Town Vending Committee*" means the body constituted by the appropriate Government
 - (z)
 - (aa) under section 22 of the Act;
 - (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.
 - (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of

such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself creating problem for the traffic movement. as the mobile vending invariably takes place from the carriage way.

ii. Restricted vending zones should be linked with the road width:

- a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
- d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
- f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
- g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

- a. No vending shall be allowed around 200 meters of the Tehsil Complex, Courts, Municipal Council.
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.
- c. Link Road, Bondal Road , Bondali Road, Guru Nanak Road and Others Roads which are less than 20 feet and Streets less than 15 feet width will be no Vender Zones.

No Vending Zone.

4. A street vender, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III**FEES, TAXES AND PENALTIES**

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. Town Vending Committee of Samrala City has decided mobile Vending Policy with in the limit of Nagar Council Samrala.
- II. Monthly Charges from Street Venders are 150/- Rs.
 - a) Registration Fee will be 500/- rupees for five year (Renewable after every five years)
- III. Every year a 10% increase in fees/rates shall be imposed.
- IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.
- V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

CHAPTER-IV**MISCELENEOUS****9. The Regulation of traffic in the vending zones;**

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;

- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;
- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL/LED etc. lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous.

- i. The Commissioner/Executive Officer/Chairman or the Licensing Officers may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Commissioner /Executive Officer/Chairman or Licese. If Street Vender commits the breach of these bye- laws, shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Commissioner / Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written

permission of the Commissioner /Executive Officer/Chairman or the authorized officer. (herein referred to as “authorized Officer”).

- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Commissioner /Executive Officer/Chairman or the authorized officer (herein referred to as “authorized Officer”) can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/BASSI PATHANA/LDH/PSUDM/1801.- In exercise of the powers conferred by MC Bassi Pathana passed resolution No. 123 Dt. 18.07.2016 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Bassi Pathana, Municipal Council, hereby makes the following bye-laws for street vending, namely:--

“The street vendors Bye laws-2015 for the Municipal Council Bassi Pathana”

CHAPTER-1

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called The street Vendors (Protection of Livelihood and Regulation of Street Vending)Bye laws-2015 for the Municipal Council Bassi Pathana

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
 - b) “Appropriate Government” means the Government of Punjab;
 - c) “Bye laws” means the bye-laws made under section 37 of the Act;
 - d) “*Chief Executive Officer*” means officer in charge of Bassi Pathana Municipality
 - e) “*Festival market*” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
 - f) “*Grievance Redressed Committee*” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
 - g) “*Heritage Market*” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale an purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - h) “*Holding Capacity*” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
 - i) “*Local Authority*” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or such other body entitled to functional a local authority in any or town;
 - j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - k) “*Executive Officer*” means the Executive Officer of the Municipal Council Bassi Pathana;
 - l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decided an appeal of a street vendor as per section 11 and section 20 of the Act,
 - m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on

the recommendation of the Town Vending Committee;

- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “*Notification*” means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 22 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “*public purpose*” includes in he context of the Act (i) widening of, streets, lanes;(ii) shifting the alignment of roads, streets, lanes;(iii) erecting flyovers with or without clover leaves and slip down roads;(iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water,storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ; (x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use of offering services to the general public, in street, lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting

area for public or any such place considered suitable for vending Activities and providing services to general public.

- aa) "Weekly market" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-II

MANNER OF VENDIDNG IN DIFFFRENT VENDING ZONES

- 3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular& pedestrian movement for the city.

- 1. There shall not be any restriction-free- vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.

ii. **Restricted vending zones should be linked with the road width;**

- a) There shall not by any stationary street vending on a road having with equal to 5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
- d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.
- g) Suggestive road designing is attached as Annexure.

iii. **No vending zone:-**

- a. No vending shall be allowed around 100 meters of Secretariat, District courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, all hospitals/ school/colleges Cantonment Board and ASI And state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads and roundabout on all side any declared heritage structures by the local authority.

- c. Mote Wala Chonk, Opp. Post Office Arya Samaj Chowk, Sarafa Bazzar Chowk and Quila Chowk all Street Less 10 Feet width in the city are selected as No Vending Zones.

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or interfere with any other structures, signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- VII. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- VIII. Put garbage anywhere except specific place, which identified by the local authority;
- IX. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
- II. Different rates / fees for each category of-vendors or and market shall be as under:
 - a) Registration Fee will be 500/- rupees for five year (Renewable after every five years) Category

wise Street Vendors monthly fees/rates is as under:

- i) Mobile vending = 300/- rupees (per month) or Vender can pay fees quarterly @750/- Per Quarter
- ii) Festive Market rate/fee i.e. Diwali, Mela Roshni etc. = 2/- rupees per feet per day

III. Every year a 10% increase in fees/rates shall be imposed.

IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.

V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

**CHAPTER-IV
MISCELENEOUS**

9. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- II. Local Authority shall clearly ear mark the vending area footpath and carriage way in the vending zone.

10. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solutions.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing

- i. The Commissioner/Executive Officer/Chairman or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March next following the date with the permission of the Commissioner/Chairman. if street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressal committee, be Punishable with fine Rs. 200/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to one hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Commissioner/Chairman or the Authorized officer (here in referred to as "authorized Officer")
- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Commissioner/Chairman or the authorized Officer. (herein referred to as "authorized officer")
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions ,the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

Sr. No.	Width of road	Foot-path	Street Vending Space	Service Road	Cycle Track	Carriage way	Central verge	Carriage way	Cycle Track	Service Road	Street Vending space	Foot-path	Vending Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area

2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/DORAH/ LDH/PSULM/1807.-In exercise of the powers conferred by M.C.Doraha passed resolution No.112 dt.26.11.2015 section 37 of the street vendors (protection of livelihood and regulation of street vending) Act, 2014 (Central Act 7 of 2014) Subject to the provision of this act or any rule or scheme made there under , the Doraha, Municipal Council, hereby makes the following bye-law for street vending namely:-

“The street vendors Bye laws-2015 for the Municipal Council Doraha (Ludhiana)”

CHAPTER – I PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called **The street Vendors (Protection of Livelihood and Regulation of StreetVending) Bye laws-2015 for the Municipal Council Doraha (Ludhiana)**
2. It shall come into force on such date, as notified in the Official Gazette,by the appropriate Government.

3. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act,2014 (Central Act 7 of 2014);

- b) “*Appropriate Government*” means the Government of Punjab;
- c) “*Bye laws*” means the bye-laws made under section 37 of the Act;
- d) “*Chief Executive Officer*” means officer in charge of Municipal Council Doraha (Ludhiana)
- e) “*Festival market*” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
- f) “*Grievance Redressed Committee*” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
- g) “*Heritage Market*” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- h) “*Holding Capacity*” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
- i) “*Local Authority*” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or such other body entitled to functional a local authority in any or town;
- j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- k) “*Municipal Commissioner*” means the commissioner of the Municipal Corporation in Punjab state;
- l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decide an appeal of a street vendor as per section 11 and section 20of the Act,
- m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “*Notification* “ means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 22 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;

- s) “*public purpose*” includes in the context of the Act (i) widening of, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing; (x) creation of parks; gardens and recreational area; (xi) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use or offering services to the general public, in street, lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
- aa) “*Weekly market*” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-11

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 1. There shall not be any restriction-free- vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without

affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.

ii. Restricted vending zones should be linked with the road width;

- a) There shall not by any stationary street vending on a road having with equal to 5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
- d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.

iii. No vending zone:-

- a. No vending shall be allowed around 100 meters of Secretariat, District courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, all hospitals/ school/colleges Cantonment Board and ASI And state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads and round about on all side any declared heritage structures by the local authority.

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or Interfere with any other structures ,signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- vii. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.

- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in vending zones;

- i. The vending fees will be Rs 500/- payable every month.
- ii. Renewal of vending certificate fees will be Rs. 500/- payable every five years.
- iii. Every year a minimum 10% increase shall be imposed.
- iv. Local Authority can collect vending fees annually instead of monthly, if it deems fit to do so.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less than rupees 500 which may be extended up to rupees 1000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to two hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV

MISCELLANEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;

II. local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solutions.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
- ii. Proper collection of solid waste management system have to be provided by the Local Authority;
- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Commissioner/Executive Officer/Chairman or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March Next following the date with the permission of the Commissioner/Chairman. if street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressal committee, be Punishable with fine Rs. 500/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to two hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Commissioner/Chairman or the Authorized officer (here in referred to as " authorized Officer")
- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written

permission of the Commissioner/Chairman or the authorized Officer. (herein referred to as "authorized officer")

- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

ANNEXURE ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Wid- th of road (in mtrs)	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/Jagraon/LDH/PSULM/1813.- In exercise of the powers conferred passed resolution No. 89 Dt. 29.01.2016 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Jagraon, Municipal Council, hereby makes the following bye-law for street vending namely:-

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Jagraon Municipal Council.**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "*Act*" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "*Appropriate Government*" means the Government of Punjab;
 - (c) "*Bye-laws*" means the bye-laws made under section 37 of the Act;
 - (d) "*Executive Officer*" means officer in charge of Jagraon Municipal Council, Jagraon as the case may be;
 - (e) "*festive market*" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (f) "*Grievance Redressal Committee*" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
 - (g) "*Heritage Market*" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (h) "*holding capacity*" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (i) "*local authority*" means a Municipal Council or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending in that city or town;
 - (j) "*mobile vendors*" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;

- (k) "*Municipal Council*" means a council as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
- (m) "*natural market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- n) "*niche market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- o) "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p) "*notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q) "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r) "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Improvement trust Act or the Municipal Act, as the case may be it Act;
- (s) "*Public put-put*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.
- (t) "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
- (u) "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (v) "*Section*" means section of the Act;
- (w) "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
- (x) "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

- (y) "*Town Vending Committee*" means the body constituted by the appropriate Government under section 22 of the Act;
- (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.
- (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

- 3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself creating problem for the traffic movement as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width:**
 - a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
 - d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
 - f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
 - g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

- a. No vending shall be allowed around 200 meters of the Tehsil Complex, Courts, Municipal Council.
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.
- c. Link Road, Railway Road, College Road, Lala Lajpat Rai Road, Kamal Chowk to Kukkar Chowk, Old Sabzi Mandi Road, Anarkali Bazar, Misarpura Bazar, Fili Gate, Akhara Gate, Purana Civil Hospital Road, Tehsil Road, Old Bazar inside the city **are selected as No Vending Zone.**

4. A street vendor, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III**FEES, TAXES AND PENALTIES**

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the

status of the market. Category of the vendors and or market shall have to be decided by the TVC;

II. Different rates / fees for each category of vendors or and market shall be as under:

a) Registration Fee will be 500/- rupees for five year (Renewable after every five years) Category wise Street Vendors monthly fees/rates is as under :

- | | |
|---|-------------------------------|
| i) Under ROB opp. Basic School | = 500/- rupees (per month) |
| ii) Under ROB opp. Link Road | = 500/- rupees (per month) |
| iii) Old Grain Market | = 500/- rupees (per month) |
| iv) Agwar Dala near Dera Aapo-Aap | = 300/- rupees (per month) |
| v) Mobile vending | = 100/- rupees (per month) |
| vi) Festive Market rate/fee i.e. Diwali, Mela Roshni etc. | = 2/- rupees per feet per day |

III. Every year a 10% increase in fees/rates shall be imposed.

IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.

V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of

such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;
- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL/LED etc. lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous

- i. The Commissioner/Executive Officer/Chairman or the Licensing Officers may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Commissioner /Executive Officer/Chairman or Lice11. If Street Vender commits the breach of these bye- laws, shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Commissioner / Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Commissioner /Executive Officer/Chairman or the authorized officer. (herein referred to as "authorized Officer").
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Commissioner /Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer"). can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE
ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Width of road	Foot-path	Street Vending Space	Service Road	Cycle Track	Carri-age way	Central verge	Carri-age way	Cycle Track	Service Road	Street Vending space	Foot-path	Vending Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
For two lane traffic minimum 7 mtrs is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC Amloh/ Ludhiana/ PSLUM/Chandigarh/1817.-In exercise of the powers conferred passed resolution No.61 Dt. 22.12.2015 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the *Amloh* Municipal Council, hereby makes the following bye-laws for street vending, namely:--

CHAPTER — I
PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of**

Street Vending) Bye-laws — 2015 for Municipal Council Amloh.

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "Appropriate Government" means the Government of Punjab;
 - (c) "Bye-laws" means the bye-laws made under section 37 of the Act;
 - (d) "Executive Officer" means officer in charge of Municipal Council Amloh as the case may be;
 - (e) "festive market" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (f) "Grievance Redressal Committee" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
 - (g) "Heritage Market" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (h) "holding capacity" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (i) "local authority" means a Municipal Council entitled to function as a local authority in Amloh city to provide civic services and regulate street vending in that city ;
 - (j) "mobile vendors" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - (k) "Executive Officer " means the officer in charge of Municipal Council Amloh in Punjab State;
 - (l) "Municipal Committee" means a committee as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
 - (m) "natural market" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
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- (s) "*Public put-POSE*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.
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CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

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ii. Restricted vending zones should be linked with the road width:

- a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
- d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
- f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
- g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

- a. No vending shall be allowed around 200 meters of the Civil Courts, All Center Govt. and All State Govt. Departments, Bank, Post office, Semi-Govt. Departments/Board/Corporation, Schools, Main Bazar, Civil Hospital Road, Bugga Chowk, Gobindgarh Chowk, Nabha Chowk and state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.

4. A street vender, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;

- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;
- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
 - II. The fees shall be minimum Rs.150/and maximum Rs.1500 per month. Different rates / fees shall be fixed for each category of-vendors or and market
 - III. Every year a minimum 10% increase shall be imposed.
 - IV. Local authority can collect vending fee annually instead of monthly, if it deems fit to do so.
7. **Penalty to be charged -**
- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
 - ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 300 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic,

speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;

- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;
- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous

- i. The Executive Officer may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Executive Officer Licese. If Street Vender commits the breach of these bye- laws , shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Executive Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.

- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Executive Officer").
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Executive Officer"). can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

St. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/ROPAR/PSLUM/1828.-In exercise of the powers conferred passed resolution No. 74 Dt. 30/11/2015 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, (Central Act 7/2014) Subject to provision of this Act of any rule or scheme made there under the MC Morinda, hereby makes the following Bye-laws for Street Vending namely:-

“The street vendors Bye laws-2015 for the Municipal Council Rupnagar

CHAPTER-I

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called **The street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye laws-2015 for the Municipal Council Rupnagar**. It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:

- a) “*Act*” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
- b) “*Appropriate Government*” means the Government of Punjab;
- c) “*Bye laws*” means the bye-laws made under section 37 of the Act;
- d) “*Chief Executive Officer*” means officer in charge of Municipal Council, Rupnagar
- e) “*Festival market*” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
- f) “*Grievance Redressal Committee*” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
- g) “*Heritage Market*” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- h) “*Holding Capacity*” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
- i) “*Local Authority*” means a Municipal Council Rupnagar
- j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- k) “*Executive Officer*” means the Executive Officer of the Municipal Council of Rupnagar in Punjab state;
- l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decided an appeal of a street vendor as per section 11 and section 20 of the Act,
- m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on

the recommendation of the Town Vending Committee;

- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “*Notification* “ means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 21 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “*public purpose*” includes in the context of the Act (i) widening of, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ; (x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use of offering services to the general public, in street ,lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for

street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.

- aa) “*Weekly market*” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-II

MANNER OF VENDIDNG IN DIFFRENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular& pedestrian movement for the city.
 1. There shall not be any restricted vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width;**
 - a) There shall not by any stationary street vending on a road having with equal to 3 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
 - d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
 - f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.
- iii. **No vending zone:-**
 - a. No vending shall be allowed around 200 meters of the Secretariat, District Courts, District Secretariat, offices of District Panchayat, Main Bazaar, School Road, Pull Bazaar to-Lehari Shah Mandir to Civil Hospital Road to Bela Chowk to Kalyan Cinema to Water Lilly Chowk and state archeological monuments.
 - b. There shall not by any stationary street vending on a road having with equal to 3 meters

iv. Mobile Vending Zones:-

- a. RTP Colony Chandigarh Road Ropar
- b. New Anaj Mandi Bhatha Sahib Chowk.
- c. Sukhram Tapprian Near Primary School Ropar.
- d. Sukhram Tapprian, Chamkaur Sahib Road Ropar.
- e. Nangal Chowk under Bridge Road Ropar.
- f. Near Old Pull, Near Chamkaur Sahib Bus Stand Ropar.
- g. Railway Road opposite Electricity Office Ropar.
- h. Railway Road opposite Sainik Rest House Ropar.
- i. Railway Road near New Pull Ropar.
- j. New Bus Stand, Near Nehru Stadium Ropar.
- k. Near Water Lilly, Head works Ropar.
- l. Near College Hostel, Charch Road Ropar.
- m. SCF Parking Giani Zail Singh Nagar Ropar.
- n. SCF Parking Near Harshan Gas Agency, Giani Zail Singh Nagar Ropar
- o. MC Water Works Giani Zail Singh Nagar Ropar
- p. Government Sen.Sec. School Bela Road Ropar.
- q. Beant Singh Aman Nagar, Near Meet Market Ropar.
- r. Old BDO Office opposite Guru Nanak Market Pakka Bagh Ropar.

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or interfere with any other structures, signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- vii. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;

- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
- II. Different rates / fees for each category of-vendors or and market shall be as under:
 - a) Registration Fee will be 500/- rupees for five year (Renewable after every five years)

Category wise Street Vendors monthly fees/rates are as under:

- i) Mobile vending = 500/- rupees (per month)
- ii) Festive Market rate/fee i.e. Diwali, Mela Roshni etc. = 2/- rupees per feet per day
- III. Every year a 10% increase in fees/rates shall be imposed.
- IV. For Festive Markets, Vendors must have to take Prior Permission from Municipal Council before vending.
- V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less than rupees 1000 which may be extended up to rupees 2000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to two hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV

MISCELLANEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic,

speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;

- II. Local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of whole salers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solution.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
- ii. Proper collection of solid waste management system has to be provided by the Local Authority;
- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Executive Officer/President or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March next following the date with the permission of the Executive Officer/President. it street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressal committee, be Punishable with fine Rs. 500/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to two hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Executive Officer/President or the Authorized officer (here in referred to as “authorized

Officer")

- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Executive Officer/President or the authorized Officer. (herein referred to as "authorized officer")
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

Annexure

ROAD DESIGING WITH STREET VENDING SPACE

Sr. No.	Wid- th of road (in mtrs)	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note: These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic for two lane traffic minimum 7 mts is required for carrying traffic.

Minimum area available for street vending: 3.0mtrs

Minimum space requirement for pedestrian movements: 1.0 mtrs

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/KHANNA/LDH/PSULM/1834.- In exercise of the powers conferred by MC Khanna passed resolution No.14/37 Dt. 08.07.2016 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Khanna, Municipal Council, hereby makes the following bye-laws for street vending, namely:--

“The street vendors Bye laws-2015 for the Municipal Council Khanna”

CHAPTER-1

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called **The street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye laws-2015 for the Municipal Council Khanna.**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:

- a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
- b) “Appropriate Government” means the Government of Punjab;
- c) “Bye laws” means the bye-laws made under section 37 of the Act;
- d) “Chief Executive Officer” means officer in charge of Municipal Council, Khanna
- e) “Festival market” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
- f) “Grievance Redressed Committee” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
- g) “Heritage Market” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale an purchase of products or services and has been determined as such by the lock authority on the recommendations of the Town Vending Committee;
- h) “Holding Capacity” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;

- i) “*Local Authority*” means a Municipal Council Khanna
- j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- k) “*Executive Officer*” means the Executive Officer of the Municipal Council of Khanna in Punjab state;
- l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decided an appeal of a street vendor as per section 11 and section 20 of the Act,
- m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “Notification “ means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 22 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “*public purpose*” includes in he context of the Act (i) widening of, streets, lanes;(ii) shifting the alignment of roads, streets, lanes;(iii) erecting flyovers with or without clover leaves and slip down roads;(iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water,storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ;(x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or

Merchandise of everyday use of offering services to the general public, in street, lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;

- y) “Town Vending Committee” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “Vending Zone” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
- aa) “Weekly market” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-11

MANNER OF VENDING IN DIFFERENT VENDING ZONES

- 3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - 1. There shall not be any restricted vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width;**
 - a) There shall not be any stationary street vending on a road having width equal to 3 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
 - d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where

street vending is allowed.

- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.

iii. No vending zone:-

- a. No vending shall be allowed around 50 meters of Court Complex , ADC Office, Tehcil Office,& Municipal Council Office,
- b. There shall not by any stationary street vending on a road having with equal to 3 meters

Iv Vending Zone :-

- a. Under the Railway Over Bridge Samrala Road other then crossing Points
- b. Under the Railway Over Bridge Lalheri Road other then crossing Points
- c. Near Telephone Exchange Smadhi Road Khanna
- d. Near Tobha Singare Walla
- e. There Shall be allowed mobile vending in other city all the street having a width more than 3 meter there shall be allow mobile vending in all residential & commercial area of the city
- f. Shiva ji Complex railway road khanna

4. A Street Vender, who got street vending cerficate for any of these vending zones, shall not-

- 1. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exists adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or Interfere with any other structures ,signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- VII. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- VIII. Put garbage anywhere except specific place, which identified by the local authority;
- IX. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;

- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in vending zones;

- i. The vending fees will be Rs 300/-per month or 750/-for every 3 months.
- ii. Renewal of vending certificate fees will be Rs. 100/- payable every years.
- iii. Every year a minimum 10% increase shall be imposed.
- iv. Local Authority can collect vending fees Quarterly instead of monthly, if it deems fit to do so.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less than rupees 500 which may be extended up to rupees 1000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to two hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV

MISCELENEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- II. local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such

standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solutions.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
- ii. Proper collection of solid waste management system have to be provided by the Local Authority;
- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Executive Officer/President or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Commissioner /Executive Officer/Chairman or Lice11. If Street Vender commits the breach of these bye- laws ,shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Commissioner / Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Commissioner /Executive Officer/Chairman or the authorized officer. (herein referred to as "authorized Officer").
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Commissioner /Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer"). can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Width of road (in mtrs)	Foot-path	Street Vending Space	Service Road	Cycle Track	Carriage way	Central verge	Carriage way	Cycle Track	Service Road	Street Vending space	Foot-path	Vending Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No.NP Sri Chamkaur Sahib/LDH/PSLUM/1846.-In exercise of the powers conferred passed resolution No. 111 Dt. 21.06.2016 by section 37 of the Street Venders (Protection of Livelihood and Regulation of Street Vending) Act 2014, (Central Act 7/2014) Subject to provision of this Act of any rule or scheme made there under the NP Sri Chamkaur Sahib, hereby makes the following Bye-laws for Street Vending namely:-

“The street venders Bye laws-2015 for the Nagar Panchayat Sri Chamkaur Sahib

CHAPTER-I

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called the street Vendors (Protection of Livelihood and Regulation of Street

Vending) Bye laws-2015 for the Nagar Panchayat Sri Chamkaur Sahib.

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
 - b) “Appropriate Government” means the Government of Punjab;
 - c) “Bye laws” means the bye-laws made under section 37 of the Act;
 - d) “Chief Executive Officer” means officer in charge of Nagar Panchayat Sri Chamkaur Sahib.
 - e) “Festival market” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
 - f) “Grievance Redressal Committee” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
 - g) “Heritage Market” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - h) “Holding Capacity” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
 - i) “Local Authority” means a Nagar Panchayat Sri Chamkaur Sahib
 - j) “Mobile Vendors” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - k) “Executive Officer” means the Executive Officer of the Nagar Panchayat Sri Chamkaur Sahib in Punjab state;
 - l) “Municipal Committee” means a committee as prescribed under this rule-20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act,
 - m) “Natural Market” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
 - n) “niche Market” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
 - o) “Night Bazaar” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
 - p) “Notification “ means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
 - q) “Plan” means the plan made under first schedule of section 21 of the Act;

- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “*public purpose*” includes in the context of the Act (i) widening of, streets, lanes;(ii) shifting the alignment of roads, streets, lanes;(iii) erecting flyovers with or without clover leaves and slip down roads;(iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ;(x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use of offering services to the general public, in street ,lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
- aa) “*Weekly market*” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-II

MANNER OF VENDIDNG IN DIFFRENT VENDING ZONES

3. TOWN VENDING COMMITTEE shall have to decide about vending zones considering an intensity of

foot falls, Road width and vehicular & pedestrian movement for the city.

1. There shall not be any restricted vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TOWN VENDING COMMITTEE. has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.

ii. Restricted vending zones should be linked with the road width;

- a) There shall not by any stationary street vending on a road having with equal to 3 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
- d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.

iii. No vending zone:-

- a. No vending shall be allowed around 100 meters of Gurudwara Katalgarh Sahib, Gurudwara Damdama Sahib, Tehsil Complex 100 m area, 100 m Area around Gurudwara Tari Sahib.
- b. All the Streets in Sri Chamkaur Sahib whose width is less than 10 feet.

iv. Mobile Vending Zones:-

- a. Place of Bus stand Backside.
- b. Place near Civil Hospital.
- c. All the area in the City has been approved for Mobile vending, in which all the residential and commercial area involved whose streets width is more than 10 feet.

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exists adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or interfere with any other structures, signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;

- vi. Occupy more space then allotted by Town vending Committee.
- vii. Sell goods of service or merchandises after fixed hours as specified by the TOWN VENDING COMMITTEE.;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TOWN VENDING COMMITTEE.;

- II. Different rates / fees for each category of-vendors or and market shall be as under:

- a) Registration Fee will be 150/- rupees for five year (Renewable after every five years)

Category wise Street Vendors monthly fees/rates are as under:

- i) Mobile vending = 100/- rupees (per month)
- ii) Festive Market rate/fee i.e.Diwali, Mela Roshni etc.= 2/- rupees per feet per day

- III. Every year a 10% increase in fees/rates shall be imposed.

- IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.

- V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less than rupees 200 which may be extended up to rupees 1000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to one hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV
MISCELENEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TOWN VENDING COMMITTEE., traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TOWN VENDING COMMITTEE.
- II. Local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TOWN VENDING COMMITTEE. with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solution.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
- ii. Proper collection of solid waste management system has to be provided by the Local Authority;
- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Executive Officer/President or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- ii. The license granted under these byelaws shall expire on the 30th September or 31st March next following the date with the permission of the Executive Officer/President. it street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressed committee, be Punishable with fine Rs. 500/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to two hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- iii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Executive Officer/President or the Authorized officer (here in referred to as "authorized Officer")
- iv. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Executive Officer/President or the authorized Officer. (Herein referred to as "authorized officer")
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

ANNEXURE**ROAD DESIGNING WITH STREET VENDING SPACE****IN MTRS)**

St. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral Cove- Rage	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side

5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No.MC MORINDA/ROPAR/PSLUM/1852.-In exercise of the powers conferred M.C Morinda passed resolution No. 80 Dt. 31/12/2015 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, (Central Act 7/2014) Subject to provision of this Act of any rule or scheme made there under the MC Morinda, hereby makes the following Bye-laws for Street Vending namely:-

“The street vendors Bye laws-2015 for the Municipal Council Morinda”

CHAPTER-1

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called **The street Vendors (Protection of Livelihood and Regulation of Street Vending)Bye laws-2015 for the Municipal Council Morinda.**

It shall come into force on such date, as notified in the Official Gazette,by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act,2014 (Central Act 7 of 2014);
 - b) “Appropriate Government” means the Government of Punjab;
 - c) “Bye laws” means the bye-laws made under section 37 of the Act;
 - d) “Chief Executive Officer” means officer in charge of Morinda Municipality
 - e) “Festival market” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
 - f) “Grievance Redressed Committee” means a committee constituted by the Government of Punjab

under sub- section(1) of the section 20 of the Act;

- g) “*Heritage Market*” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- h) “*Holding Capacity*” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
- i) “*Local Authority*” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or such other body entitled to function as a local authority in any or town;
- j) “*Mobile Vendors*” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- k) “*Executive Officer*” means the Executive Officer of the Municipal Council Morinda;
- l) “*Municipal Committee*” means a committee as prescribed under this rule-20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act,
- m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “*Notification* “ means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 22 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “*public purpose*” includes in the context of the Act (i) widening of, streets, lanes;(ii) shifting the alignment of roads, streets, lanes;(iii) erecting flyovers with or without clover leaves and slip down roads;(iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water,storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ;(x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.

- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use of offering services to the general public, in street, lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;
- z) “*Vending Zone*” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
- aa) “*Weekly market*” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 1. There shall not be any restriction-free- vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width;**
 - a) There shall not be any stationary street vending on a road having width equal to 5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters.

However, street vending shall be allowed if such road is declared as one way vehicular road.

- c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
- d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
- f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.
- g) Suggestive road designing is attached as Annexure.

iii. No vending zone:-

- a. No vending shall be allowed around 100 meters of Secretariat, District courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, all hospitals/school/colleges Cantonment Board and ASI And state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads and roundabout on all side any declared heritage structures by the local authority.
- c. Khoo Wala Chonk, bhatt Bazar, Old Tehsil Office Street, All Street less 10 feet width in the city are selected as No Vending Zones.

4. A Street Vender, who got street vending certificate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exists adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or interfere with any other structures, signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- vii. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;

- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
- II. Different rates / fees for each category of-vendors or and market shall be as under:
 - a) Registration Fee will be 500/- rupees for five year (Renewable after every five years)

Category wise Street Vendors monthly fees/rates is as under:

- i) Mobile vending = 300/- rupees (per month) or Vender can pay fees quarterly @750/- Per Quarter
- ii) Festive Market rate/fee i.e. Diwali,
Mela Roshni etc. = 2/- rupees per feet per day
- III. Every year a 10% increase in fees/rates shall be imposed.
- IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.
- V. Local authority collect vending fee monthly. The vendor will have to deposit fee before 10th of every month, after this date rupees 5/- will be charged per day as late fee.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic,

speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;

- ii. Local Authority shall clearly ear mark the vending area footpath and carriage way in the vending zone.

10. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solutions.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

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- i. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
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- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
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12. Miscellaneous

- i. The Commissioner/Executive Officer/Chairman or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March next following the date with the permission of the Commissioner/Chairman. it street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressal committee, be Punishable with fine Rs. 200/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to one hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Commissioner/Chairman or the Authorized officer (here in referred to as " authorized Officer")
- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise

endanger to the public safety.

- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Commissioner/Chairman or the authorized Officer. (herein referred to as "authorized officer")
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

(IN MTRS)

Sr. No.	Wid- th of road	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
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		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs. is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

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Deputy Director

Urban Local Bodies Ludhiana.

No. NP/KHAMANO/LDH/PSULM/1862.-in exercise of the powers conferred by NP Khamanon passed resolution No.94 Dt 29/2/2016 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Nagar Panchayat Khamanon, hereby makes the following bye-laws for street vending, namely:--

" The Street Vendors by laws 2016 for the Nagar Panchayat Khamanon

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Nagar Panchayat Khamanon**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:

- (a) "*Act*" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
- (b) "*Appropriate Government*" means the Government of Punjab;
- (c) "*Bye-laws*" means the bye-laws made under section 37 of the Act;
- (d) "*Executive Officer*" means officer in charge of Nagar Panchayat Khamanon as the case may be;
- (e) "*festive market*" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (f) "*Grievance Redressal Committee*" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
- (g) "*Heritage Market*" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (h) "*holding capacity*" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (i) "*local authority*" means a Municipal Council/ Nagar Panchayat or such other body entitled to function as a local authority in Gobindgarh city to provide civic services and regulate street vending in that city or town;
- (j) "*mobile vendors*" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
- (k) Municipal Council/ Nagar Panchayat means a council as prescribed under this rule-20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act.
- (m) "*natural market*" means a market where sellers and buyers have traditionally congregated for the sale

and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;

- n)* "*niche market*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- o)* "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p)* "*notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q)* "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r)* "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable the Municipal Act, as the case may be it Act;
- (s)* "*Public put-put*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.
- (t)* "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
- (u)* "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (v)* "*Section*" means section of the Act;
- (w)* "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
- (x)* "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
- (y)* "*Town Vending Committee*" means the body constituted by the appropriate Government under section 22 of the Act;

- (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.
- (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

- 3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself creating problem for the traffic movement. as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width:**
 - a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
 - d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
 - f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
 - g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

up to 50 meters from G.T road, schools, Gurdwaras, Mandirs, Masjids, Court Complex. Govt Officers, Bank and other religious places declared as non Vending Zone

4. A street vender, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III**FEES, TAXES AND PENALTIES**

maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;

- I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
- II. Different rate/fees for each category of vendors or and market shall be as under:
 - a) Registration Fee 200/-
 - b) Festive fee 200/- per festive/every vender.
- III. Every year a 10% increase in fees/rate shall be imposed,
- IV. For Festive Markets, Vendors much have to take prior permission from Nagar Panchayat before

vending

V. The vender will have to deposit the fee before 7 day from the festival.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 300 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;

- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous.

- i. The Executive Officer may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Executive Officer Licese. If Street Vender commits the breach of these bye- laws , shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Executive Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Executive Officer".

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)														
Sr. No.	Wid- th of road (in mtrs)	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	6.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.
 For two lane traffic minimum 7 mtrs is required for carrying traffic.
 Minimum Area available for street vending - 3.0 mtrs.
 Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No MC/MACHIWARA/LDH/PSULM/1868.- In exercise of the powers conferred by MC Machhiwara Sahib passed resolution No. 32 Dt. 11.07.2016 section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Machhiwara Sahib, Municipal Council, hereby makes the following bye-laws for street vending, namely:--

“The street vendors Bye laws-2015 for the Municipal Council Machhiwara Sahib (Ludhiana),”

CHAPTER-1

PRELIMINARY

1. Short title and commencement:-

1. This bye laws may be called The street Vendors (Protection of Livelihood and Regulation of Street Vending)Bye laws-2015 for the Municipal l Council Machhiwara Sahib (Ludhiana).

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions:-

1. In these rules, unless the context otherwise requires:
 - a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
 - b) “Appropriate Government” means the Government of Punjab;
 - c) “Bye laws” means the bye-laws made under section 37 of the Act;
 - d) “Chief Executive Officer” means officer in charge of Municipal Council Machhiwara Sahib (Ludhiana).
 - e) “Festival market” Means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of Town Vending Committee;
 - f) “Grievance Redressed Committee” means a committee constituted by the Government of Punjab under sub- section(1) of the section 20 of the Act;
 - g) “Heritage Market” means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale an purchase of products or services and has been determined as such by the lock authority on the recommendations of the Town Vending Committee;
 - h) “Holding Capacity” means the maximum number of street vendors who can be accommodated on any vending zone and has been determined as such by the local authority on the recommendation of Town Vending Committee;
 - i) “Local Authority” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or such other body entitled to functional a local authority in any or town;
 - j) “Mobile Vendors” Means the street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - k) “Municipal Commissioner” means the commissioner of the Municipal Corporation in Punjab state;
 - l) “Municipal Committee” means a committee as prescribed under this rule-20 to decided an appeal of a street vendor as per section 11 and section 20 of the Act,

- m) “*Natural Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local authority on the recommendation of the Town Vending Committee;
- n) “*niche Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by local Authority on the recommendation of the Town Vending Committee;
- o) “*Night Bazaar*” a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services after evening i.e during night and has been determined as such by local authority on the recommendations of the Town vending Committee;
- p) “*Notification*” means a notification published on the Official Gazette and the term “notify” shall be construed accordingly;
- q) “*Plan*” means the plan made under first schedule of section 22 of the Act;
- r) “*Planning Authority*” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable improvement trust act or the Municipal Act, or as the case may be it Act;
- s) “public purpose” includes in the context of the Act (i) widening of, streets, lanes;(ii) shifting the alignment of roads, streets, lanes;(iii) erecting flyovers with or without clover leaves and slip down roads;(iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, metro etc; (ix) erection of economically weaker section (EWS) housing ;(x) creation of parks; gardens and recreational area; (xii) conservation of any eco system resource in that area and (xii) any other development work taken by the local authority, the beneficiary of which will be the community at last.
- t) “*Scheme*” means the scheme under second schedule of section 38 of the Act;
- u) “*Seasonal Market*” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific season and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- v) “*Section*” means section of the Act;
- w) “*Stationary Vendor*” means street vendor who carry out vending activities on regular basis at a specific location.
- x) “*Street Vendor*” means a person engaged in vending of articles, goods, wares, food items or Merchandise of everyday use or offering services to the general public, in street ,lane, sidewalk, Footpath, Pavement, Public Parks or any other Public Place or private areas, from a temporary built-up structure or by moving from place to place includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
- y) “*Town Vending Committee*” means the body constituted by the appropriate Government under section 22 of these Act;

- z) “Vending Zone” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to general public.
- aa) “Weekly market” means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expression defined in Act and use in these Bye-laws shall have the same meanings as respectively assigned to them in Act.

CHAPTER-11

MANNER OF VENDING IN DIFFRENT VENDING ZONES

- 3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular& pedestrian movement for the city.
 - 1. There shall not be any restriction-free- vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned on any area. However, there shall not be any restriction on mobile vending this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is very chance of mobile vending itself creating problem for the traffic movement, as the mobile vending invariably takes place from the carriage way.
- ii. **Restricted vending zones should be linked with the road width;**
 - a) There shall not by any stationary street vending on a road having with equal to 5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b) There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c) There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having width of 30 meters and above but not on sector dividing roads and main important roads.
 - d) Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e) Such stationary vending shall be allowed after taking the clearance from traffic police the smooth vehicular and pedestrian movement. If required road side parking shall be banned in such area where street vending is allowed.
 - f) Mobile vending shall be allowed on such looking to the traffic and pedestrian movement.
- iii. **No vending zone:-**
 - a. No vending shall be allowed around 100 meters of Secretariat, District courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, all hospitals/ school/colleges Cantonment Board and ASI And state archeological monuments.

- b. No vending within 50 meters from any crossing of two or more roads and round about on all side any declared heritage structures by the local authority.

4. A Street Vender, who got street vending cerficate for any of these vending zones, shall not-

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exists adjacent to the street;
- iii. Obstruct Interfere with any utilities like water supply, sewerage, telephone, electricity etc. or similar installation;
- iv. Obstruct or Interfere with any other structures , signboards, display units, city works or operations, on or adjacent to the street.
- v. Sell any object able goods or services or merchandise etc;
- vi. Occupy more space then allotted by TVC;
- vii. Sell goods of service or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after enquiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound system or other amplification equipment.
- xi. Transfer the certificate to any other vendors without approval;
- xii. Use plastic ploythenes of any kind

5. Responsibility of Street Vendors-

The Street vendor or the employee of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificate;
- iii. Display the permit at vending places all times.
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Produce the certificate of vending when demanded by the authority;
- x. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER-III

FEES, TAXES AND PENALTIES

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in vending zones;

- i. The vending fees will be Rs 1000/- payable every 3 months.
- ii. Renewal of vending certificate fees will be Rs. 500/- payable every two years.

- iii. Every year a minimum 10% increase shall be imposed.
- iv. Local Authority can collect vending fees annually instead of monthly, if it deems fit to do so.

7. Penalty to be charged-

- i. Every street vendor who commits an offence, breach of provisions of the Act/ Rules or Bye-laws, is punishable on conviction by dispute redressal committee, and has to pay, a fine of not less than rupees 500 which may be extended up to rupees 1000 for first instance of offence.
- ii. When the breach is continuing breach, a further fine may be extended to two hundred rupees for everyday after the first instance of breach.
- iii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

CHAPTER-IV

MISCELENEOUS

8. The Regulation of traffic in the vending Zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- II. Local Authority shall clearly ear mark the vending are, a footpath and carriage way in the vending zone.

9. The Regulation of the quality of the products and services provided to the public in vending zone and maintenance of public health, hygiene and safety standards;

- i. Any vendor, who sell food articles, readymade or processed on the site, shall have to follow all the provision of the food Adulteration Act. In case of failure, Penal measures shall be initiated by the concern department, as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of Articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statue. Otherwise it will be only a qualitative assessment. In the absence of such standard it will be necessary to collect samples of such items against which some complaints are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufactures and vendors under the chairmanship of state nodal officer to arrive at an amicable solution.

[Explanation for example, presence of toxic paint and sharp edges of the different part of the toy. There is a need to develop systematic samples taking an analysis of the same in an accredited laboratory. In case of proved presence of toxic element in the toys .The wholesaler should be compelled to take it back and payback the vendor price they pay if it not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention to the authorities empowered to take suitable items.]

10. The regulation of civic services in the vending zones;

- I. The movable public toilet and drinking water facilities shall be provide at appropriate place by the local authority.
- ii. Proper collection of solid waste management system has to be provided by the Local Authority;

- iii. Lighting to the vendors shall be allowed by the CFL lamp Mechanism;
- iv. No individual electricity and water connection shall be allowed;

11. Miscellaneous

- i. The Commissioner/Executive Officer/Chairman or the licensing officer may limit the time during which street vendor may be permitted to the operator either generally or specifically in respect of any class of articles or in any particular public street within the city.
- iv. The license granted under these byelaws shall expire on the 30th September or 31st March next following the date with the permission of the Commissioner/Chairman. it street Vendor Commits the breach of these bye-laws, shall be convicted by dispute redressed committee, be Punishable with fine Rs. 500/- Which may be extended to one thousand Rupees for one time. When the breach is a continuing breach, a further time may be extended to two hundred rupees for everyday after the first instance of breach. if a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.
- ii. The License/Street Vendor shall always keep the License issued to him and shall on demand produce it to the Commissioner/Chairman or the Authorized officer (here in referred to as "authorized Officer")
- iii. The License/Street Vendor shall not do or permit to do negligent act likely to cause fire or otherwise endanger to the public safety.
- iv. The Licensee/Street Vendor shall not transfer the license to any other person without the prior written permission of the Commissioner/Chairman or the authorized Officer. (herein referred to as " authorized officer")
- v. Every License issued to the Street Vendor under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay rupees 25 shall be charged for everyday of delay.
- vi. If the license/Street vendor fails to comply with any terms and condition of this license, the commissioner/Chairman or the authorized officer can revoke or suspend the license.
- vii. In event of any future planning/development of site/court order/directions ,the allotted site is prohibited for the vending purpose; the licensee shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Wid- th of road (in mtrs)	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road

4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrain movements - 1.0 mtr

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

MC/Payal/Ludhiana/PSLUM/Chandigarh/1874.-In exercise of the powers conferred passed resolution No.114 Dt. 9/6/2016 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Payal Municipal Council, hereby makes the following bye-laws for street vending, namely:--

"The Street Vendors Bye laws-2016 for Municipal Council Payal.

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Nagar Council, Payal.**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "Appropriate Government" means the Government of Punjab;
 - (c) "Bye-laws" means the bye-laws made under section 37 of the Act;
 - (d) "Chief Executive Officer" means officer in charge of Nagar Council, Payal, Distt. Ludhiana as the case may be;
 - (e) "festive market" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city or town and has been determined

as such by the local authority on the recommendations of the Town Vending Committee;

- (f) "*Grievance Redressal Committee*" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
- (g) "*Heritage Market*" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (h) "*holding capacity*" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (i) "*local authority*" means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending in that city or town;
- (j) "*mobile vendors*" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
"*Municipal Commissioner*" means the commissioner of the Municipal Council, Payal, in Punjab State;
- (k) "*Municipal Committee*" means a committee as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
- (m) "*natural market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- n) "*niche market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- o) "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p) "*Notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q) "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r) "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Improvement trust Act or the Municipal Act, as the case may be it Act;
- (s) "*Public put-put*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping

stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.

- (t) "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
 - (u) "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (v) "*Section*" means section of the Act;
 - (w) "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
 - (x) "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
 - (y) "*Town Vending Committee*" means the body constituted by the appropriate Government under section 22 of the Act;
 - (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.
 - (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated or the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself

creating problem for the traffic movement as the mobile vending invariably takes place from the carriage way.

ii. Restricted vending zones should be linked with the road width:

- a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
- b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
- c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
- d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
- e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
- f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
- g. Suggestive road designing is attached as Annexure.

iii. No vending zone:

- a. No vending shall be allowed around 200 meters of the Secretariat, District Courts, District Secretariat, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, Cantonment Board and ASI and state archeological monuments.
- b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.

4. A street vender, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;
- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

1. Do vending on the place as specified in the vending certificate;
2. Comply with all conditions specified in the certificates;
3. Display the permit at vending place all times;
4. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
5. Keep the vending place safe and in good conditions all times;
6. Comply with any safety and or sanitary requirements of local authority;
7. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
8. Produce the certificate of vending when demanded by the authority;
9. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III**FEES, TAXES AND PENALTIES**

6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;
 - I. The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
 - a) Registration Fee will be 500/- rupees for five year (Renewable after every five years)
 - b) Mobile Vending = 200/-rupees (per month)
 - c) Festive Market rate/fee i.e.Diwali, Mela Roshni etc. = 2/- rupees per feet per day
 - II. Every year a minimum 10% increase shall be imposed.
 - III. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.
 - IV. Local authority can collect vending fee annually instead of monthly, if it deems fit to do so.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is punishable on conviction by Magistrate, a fine of not less than thrice the monthly maintenance fee.
- ii. If a street vendor defaults three times, the vending certificate shall have to be suspended and if he persists with his default, shall be cancelled.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

CHAPTER-IV**MISCELENEOUS****9. The Regulation of traffic in the vending zones;**

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending

zone, in that case it shall have to be shifted or cancelled by the TVC;

- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;
- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous.

- i. The Commissioner/Executive Officer/Chairman or the Licensing Officers may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Commissioner /Executive Officer/Chairman or Licensee. If Street Vender commits the breach of these bye- laws , shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Commissioner / Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.

- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Commissioner /Executive Officer/Chairman or the authorized officer. Herein referred to as “authorized Officer”).
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Commissioner /Executive Officer/Chairman or the authorized officer (herein referred to as “authorized Officer”). can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

St. No.	Wid- th of road (in mtrs)	Foot- path	Street Vend- ing Space	Ser- vice Road	Cy- cle Tra- ck	Carri- age way	Cent- ral verge	Carri- age way	Cycle Track	Ser- vice Road	Street Vend- ing space	Foot- path	Ven- ding Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No vehicular area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.

No. MC/MALLOUD/LDH/PSULM/1892.- In exercise of the powers conferred passed Resolution 22 Dated 30/10/2015 by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), Subject to the provisions of this Act or any rule or scheme made there under, the Maloud, Nagar Panchayat, hereby makes the following bye-laws for street vending, namely:--

CHAPTER — I

PRELIMINARY

1. Short title and commencement-

- i. This Bye-laws may be called **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws — 2015 for Maloudh Nagar Panchayat.**

It shall come into force on such date, as notified in the Official Gazette, by the appropriate Government.

2. Definitions-

- i. In these rules, unless the context otherwise requires:
 - (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 Of 2014);
 - (b) "Appropriate Government" means the Government of Punjab;
 - (c) "Bye-laws" means the bye-laws made under section 37 of the Act;
 - (d) "Executive Officer" means officer in charge of Maloudh, Nagar Panchayat as the case may be;
 - (e) "festive market" means a market where sellers and buyers have traditionally Congregated for the sale and purchase of products or services during festival season of the city or town and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (f) "Grievance Redressal Committee" means a committee constituted by the Government of Punjab under sub-section (1) of section 20 of the Act;
 - (g) "Heritage Market" means a market which has completed more than fifty years in one place where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (h) "holding capacity" means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (i) "local authority" means a Nagar Panchayat or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending in that city or town;
 - (j) "mobile vendors" means street vendors who carry out vending Activities in designated area by moving from one place to another place vending their goods and services;
 - (k) "Nagar Panchayat" means a council as prescribed under this rule — 20 to decide an appeal of a street vendor as per section 11 and section 20 of the Act;
 - (m) "natural market" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
 - (n) "niche market" means a market where sellers and buyers have traditionally congregated for the sale and purchase of niche products or services and has been determined as such by the local authority on

the recommendations of the Town Vending Committee;

- (o) "*night bazaar*" means a bazaar where sellers and buyers have traditionally congregated for the sale and purchase of products or services after evening i.e. during night and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (p) "*notification*" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;
- (q) "*Plan*" means the Plan made under First Schedule of section 22 of the Act;
- (r) "*planning authority*" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Improvement trust Act or the Municipal Act, as the case may be it Act;
- (s) "*Public put-POSE*" includes in the context of the Act (i) widening of roads, streets, lanes; (ii) shifting the alignment of roads, streets, lanes; (iii) erecting flyovers with or without clover leaves and slip down roads; (iv) erecting of underpasses; (v) development of land owned by public authorities for some public projects; (vi) laying of water, storm water or sewer lines; (vii) erecting intermediate pumping stations for the services; (viii) any project related with public transport like BRTS, Metro, etc.; (ix) erection of Economically Weaker Section (EWS) Housing; (x) Creation of Parks, Gardens and Recreational Area; (xi) Conservation of any eco system resource in that area and (xii) Any other developmental work taken by the local authority, the beneficiary of which will be the community at large.
- (t) "*Scheme*" means the Scheme made under Second Schedule of section 38 of the Act;
- (u) "*seasonal market*" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services during specific seasons and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- (v) "*Section*" means section of the Act;
- (w) "*stationery vendors*" means street vendors who carry out vending Activities on regular basis at a specific location;
- (x) "*street vendor*" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
- (y) "*Town Vending Committee*" means the body constituted by the appropriate Government under section 22 of the Act;
- (z) "*vending zone*" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending Activities and providing services to the general public.

- (aa) "*weekly market*" means a market where sellers and buyers have weekly congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;
- ii. Words and expressions defined in the Act and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act.

CHAPTER-II

MANNER OF VENDING IN DIFFERENT VENDING ZONES

3. TVC shall have to decide about vending zones considering an intensity of foot falls, Road width and vehicular & pedestrian movement for the city.
 - i. There shall not be any restriction-free-vending zones in the city. Carrying capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in this area if vendors continuously move without affecting traffic and commuter movements. In such cases the TVC has to decide the total number of such mobile vendors can be accommodate after taking into account the area of significant footfall and 1/3rd of the holding capacity of the area. Otherwise there is every chance of mobile vending itself creating problem for the traffic movement as the mobile vending invariably takes place from the carriage way.
 - ii. **Restricted vending zones should be linked with the road width:**
 - a. There shall not be any stationary street vending on a road having width equal to 3.5 meters. However, street vending shall be allowed if such road is declared as no vehicular road.
 - b. There shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one way vehicular road.
 - c. There shall be only one side stationary street vending on a road having width between 12 meters to 24 meters while both side stationary vending shall be allowed on a road having road width of 30 meters and above.
 - d. Number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road.
 - e. Such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.
 - f. Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.
 - g. Suggestive road designing is attached as Annexure.
 - iii. **No vending zone:**
 - a. No vending shall be allowed around 50 meters of the Tehsil Complex, Courts, Municipal Council.
 - b. No vending within 50 meters from any crossing of two or more roads on all side and any declared heritage structures by the local authority.
 - c. All the streets of Nagar Panchayat Maloudh having width less than 3.5 meter.

4. A street vendor, who got street vending certificate for any of these vending zones, shall not —

- i. Obstruct or interfere with vehicle, bicycle or pedestrian traffic or their safety;

- ii. Obstruct or interfere with doorways, entrances, fire doors or emergency exits adjacent to the street;
- iii. Obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity etc or similar installations;
- iv. Obstruct or interfere with any other structures, sign boards, display units, city works or operations, on or adjacent to the street;
- v. Sell any objectionable goods or services or merchandise etc;
- vi. Occupy more space than allotted by the TVC;
- vii. Sell goods or services or merchandises after fixed hours as specified by the TVC;
- viii. Put garbage anywhere except specific place, which identified by the local authority;
- ix. Sell their goods or services or merchandises after expiry of the vending certificate;
- x. Use of loudspeakers, megaphones, sound systems or other amplification equipment;
- xi. Transfer the certificate to any other vendors without approval;

5. Responsibility of Street Vendors -

The street vendor or the employees of the vendor shall have to-

- i. Do vending on the place as specified in the vending certificate;
- ii. Comply with all conditions specified in the certificates;
- iii. Display the permit at vending place all times;
- iv. Ensure that either the street vendor or such family member whose name has been mentioned in the vending certificate or employee remains present at vending place during vending hours;
- v. Keep the vending place safe and in good conditions all times;
- vi. Comply with any safety and or sanitary requirements of local authority;
- vii. Comply all the requirements of the Food Adulteration Act or any other act if applicable;
- viii. Produce the certificate of vending when demanded by the authority;
- ix. Follow all the requirements of this bye-laws and conditions mentioned in the vending certificate.

CHAPTER — III

FEES, TAXES AND PENALTIES

- 6. Monthly maintenance charges to be paid to local authority for the civic amenities and facilities in the vending zones;
 - I.** The monthly maintenance charges shall be according to the category of the street vendors and the status of the market. Category of the vendors and or market shall have to be decided by the TVC;
 - II.** Different rates / fees for each category of vendors or and market shall be as under:
 - a) Registration Fee will be 500/- rupees for One year.
 - b) Renewable of Registration will be 100/- for one year.
 - Category wise Street Venders monthly fees/rates is as under :
 - i) Mobile vending =150/- rupees per month.
 - ii) vending at bus stand maloudh. =200/- rupees per month.
 - III.** Every year a 10% increase in fees/rates shall be imposed.

IV. For Festive Markets, Vendors much have to take Prior Permission from Municipal Council before vending.

7. Penalty to be charged -

- i. Every street vendor who commits an offence or default any, provision of the Act and or Bye-laws is given a notice of 30 days for cancellation of registration. If the vendor find guilty then his registration will be cancelled.
- ii. If nagar Panchayat seize any product of any vendor, then Rs. 200 rupees will be fined as compromise fees. If Nagar Panchayat seized any product of a vendor twice then the certificate will be cancelled on permanent basis.

8. The Regulation of the collection of taxes and fees in the vending zones;

Local authority shall collect taxes and fees for vending which should be three times of the levy imposed on unauthorized settlement or Rs. 500 whichever is higher.

CHAPTER-IV

MISCELENEOUS

9. The Regulation of traffic in the vending zones;

- i. Wherever a vending zone is declared by the TVC, traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles etc. If traffic division doesn't agree with the vending zone, in that case it shall have to be shifted or cancelled by the TVC;
- ii. Local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.

10. The Regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

- i. Any vendor who sells food articles, readymade or processed on the site, shall have to follow all the provisions of the Food Adulteration Act. In case of failure, penal measures shall be initiated by the concern department as prescribed in the FAA. Any conviction order from the concern department, vending certificate of such vendors shall have to be cancelled by the TVC with immediate effect;
- ii. Quality of articles vended from the street can only be taken care of in case there is a prescribed standard under a relevant statute. Otherwise it will be only a qualitative assessment. In the absence of such standards it will be necessary to collect samples of such items against which some complains are received by the vendors. Such cases can be discussed in the joint meeting of wholesalers, manufacturers and vendors under the Chairmanship of State Nodal Officer to arrive at an amicable solution

[Explanation - For example, presence of toxic paints and sharp edges on the different parts of the toy. There is a need to develop a systematic sample taking and analysis of the same in an accredited laboratory. In case of proved presence of toxic elements in the toys, the wholesaler should be compelled to take it back and pay back the vendors the price they pay if it is not supplied on credit. In case of imported items found to be suffering from similar defects, wide publicity should be given drawing attention of the Authorities empowered to take suitable items.]

11. The Regulation of civic services in the vending zones;

- i. The movable public toilet and drinking water facilities shall be provided at appropriate distances by the local authority;

- ii. Proper collection of solid waste management system shall have to be provided by the local authority;
- iii. Lighting to vendors shall be allowed by the CFL/LED etc. lamp mechanism;
- iv. No individual electricity and water connection shall be allowed ;

12. Miscellaneous

- i. The Commissioner/Executive Officer/Chairman or the Licensing Officers may limit the time during which street vender may be permitted to operate either generally or specially in respect of any class of articles or in any particulars public street within the city.
- ii. The license granted under these bye-laws shall expire on the 30th September or 31st March next following the date upon which the permission of the Commissioner /Executive Officer/Chairman or Licer. If Street Vender commits the breach of these bye- laws, shall be convicted by a Magistrate, be punishable with fine Rs. 500/-, which may be extended to one hundred rupees and when the breach is a continuing breach with a further fine which may be extended to Two hundred rupees for every days after the first during which the breach continues.
- iii. The licence /Street Vender shall always keep the licence issued to him and shall on demand produce it to the Commissioner / Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer").
- iv. The license /street Vender shall not do or permit to do any negligent act likely to cause fire or otherwise endanger to the public safety.
- v. The license/street vender shall not transfer the licence to any other person ,without the prior written permission of the Commissioner /Executive Officer/Chairman or the authorized officer. (herein referred to as "authorized Officer").
- vi. Every license issued to the street vender under these bye-laws may be renewed within 30 days from its date of expiry. In case of delay one hundred rupee shall be charged for every month of delay.
- vii. If the license / Street vender fails to comply with any terms and condition of this license, the Commissioner /Executive Officer/Chairman or the authorized officer (herein referred to as "authorized Officer"). can revoke or suspend the license
- viii. In event of, any future planning/development of site/court order/directions, the allotted site is prohibited for the vending purpose, the license shall not sell the articles in such prohibited site.

ANNEXURE

ROAD DESIGNING WITH STREET VENDING SPACE

IN MTRS)

Sr. No.	Width of road (in mtrs)	Foot-path	Street Vending Space	Service Road	Cycle Track	Carri-age way	Central verge	Carri-age way	Cycle Track	Service Road	Street Vending space	Foot-path	Vending Status	Conditionally allowed
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	No area
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	Not allowed	
		0.0	3.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	One way road

3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Not allowed	
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	1.0	Allowed	One way road
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	Allowed	Both sides

Note : These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic.

For two lane traffic minimum 7 mtrs is required for carrying traffic.

Minimum Area available for street vending - 3.0 mtrs.

Minimum space requirement for pedestrain movements - 1.0 mtr.

Sd/-

DR. POONAM PREET KAUR (PCS)

Deputy Director

Urban Local Bodies Ludhiana.



Rs. 2.70

Punjab Government Gazette

Published by Authority

No. 19] CHANDIGARH, FRIDAY, MAY 12, 2017 (VAISAKHA 22, 1939 SAKA)

PART III

**Notifications by High Court ; Labour Commissioner ; Advertisements ;
Director of Lotteries, Punjab and Notices, etc.**

ਪੰਜਾਬ ਮੰਡੀ ਬੋਰਡ

ਸੈਕਟਰ 65-ਏ, ਸਾਹਿਬਜਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ (ਮੋਹਾਲੀ)।

ਨੰ: ਵਿਕਾਸ-3/337

ਮਿਤੀ: 16-3-17

ਸਮੂਹ ਸਕੱਤਰ,
ਮਾਰਕਿਟ ਕਮੇਟੀਆਂ,
ਪੰਜਾਬ ਰਾਜ ਵਿੱਚ।

**ਵਿਸ਼ਾ:- ਪੰਜਾਬ ਮਾਰਕਿਟ ਕਮੇਟੀਜ਼ ਬਾਈਲਾਅਜ਼ 1963 ਦੇ ਬਾਈ ਲਾਅ 28 ਅਧੀਨ ਲੇਬਰ ਰੇਟ ਫਿਕਸ ਕਰਨ
ਸਬੰਧੀ।**

ਨਿਮਨ-ਹਸਤਾਖਰ ਵਾਲੇ “ਦੀ ਪੰਜਾਬ ਐਗਰੀਕਲਚਰਲ ਪ੍ਰੋਡਿਊਸ ਮਾਰਕਿਟਸ ਐਕਟ 1961” ਦੀ ਧਾਰਾ 44 (3) (a) ਅਧੀਨ ਡੈਲੀਗੇਟ ਹੋਏ ਅਧਿਕਾਰਾਂ ਦੀ ਵਰਤੋਂ ਕਰਦੇ ਹੋਏ ਸਮੂਹ ਮਾਰਕਿਟ ਕਮੇਟੀਆਂ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਹ ਹੇਠ ਦਿੱਤੇ ਅਨੁਸਾਰ ਪੰਜਾਬ ਮਾਰਕਿਟ ਕਮੇਟੀਜ਼ ਬਾਈਲਾਅਜ਼ 1963 ਦੇ ਬਾਈ ਲਾਅ 28 ਵਿੱਚ ਸੋਧ ਕਰ ਦੇਣ। ਇਹ ਸੋਧਾਂ ਨਿਮਨ-ਹਸਤਾਖਰ ਦੇ ਹੁਕਮ ਜਾਰੀ ਹੋਣ ਦੀ ਮਿਤੀ ਤੋਂ ਲਾਗੂ ਹੋਣਗੀਆਂ :-

AMENDMENT

In clause (1) of Bye-Laws 28, the charges fixed under different categories of agricultural produces with standards of net weight shall be substituted as under:-

CATEGORY 'A'

(COTTON - 40 KG) AND WOOL - 20 KG)

- | | |
|-----------------------|--------------------------|
| 1. Unloading | Rs. 2.78 paise per unit. |
| 2. Dressing | Rs. 2.29 paise per unit. |
| 3. Weighing & filling | Rs. 6.07 paise per unit. |

NOTE:- Out of the charges mentioned at serial No. 3 Rs. 2.43 paise shall be paid to the weighman and rest Rs 3.64 paise shall be paid to the labourers engaged for this purpose.

CATEGORY 'B'**(CHILLIES DRY - 10 KG) AND GROUNDNUT - 25 KG) AND FRESH CHILLI -30 KG)**

1.	Unloading	Rs. 1.08 paise per unit.
2.	Sieving (Manual)	Rs. 1.21 paise per unit.
3.	Dressing	Rs. 0.85 paise per unit
4.	Weighing & filling	Rs. 3.22 paise per unit.
5.	Stitching: -	
	Stitching by machine	Rs. 1.34 paise per unit.
	Or	
	Manual stitching	Rs. 1.01 paise per unit.

NOTE:- Out of the charges mentioned at serial No. 4 Rs 0.96 paise shall be paid to the weighman and Rs. 0.33 paise shall be paid to the labourers engaged in Sweeping and rest Rs. 1.92 Paise shall be paid to the labourer engaged for this purpose.

Out of the charges mentioned at serial NO. 5, Rs. 0.55 paise shall be paid to the labourers engaged for this purpose

CATEGORY 'C'**(SUNFLOWER SEED - 40 KG)**

1.	Unloading	Rs. 3.00 paise per unit.
2.	Power operated cleaning (per sieve)	Rs. 3.18 paise per unit
3.	Weighing & filling	Rs. 6.60 paise per unit.
4.	Stitching: -	
	Stitching by machine	Rs. 1.34 paise per unit.
	Or	
	Manual stitching	Rs. 1.01 paise per unit.

NOTE:- Out of the charges mentioned at serial No. 3, Rs. 1.98 paise shall be paid to the weighman and Rs 0.66 paise shall be paid to the labourers engaged in Sweeping and rest RS 3.94 Paise shall be paid to the labuourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs 0.55 paise shall be paid to the labourers engaged for this purpose.

CATEGORY 'D'**(WHEAT - 50 KG), (PADDY -35 KG), (URD, MOONG, MASAR, MOTH, ARHAR, GRAM & KABLI GRAM (CHANE KALE & SAFAID) AND LOBIA (ALL 50 KG), (SARSON, TIL, TORIA, TARAMIRA (ALL 40 KG), BARLE -35 KG), JUAR - 40 KG), MAIZE- 50 KG), BAJRA AND GUARA (50 KG)**

1.	Unloading	Rs. 2.05 paise per unit.
2.	Power operated cleaning (per sieve)	Rs. 3.65 paise per unit.
3.	Weighing & filling	Rs. 5.72 paise per unit.
4.	Stitching: -	
	Stitching by machine	Rs.1.34 paise per unit.
	Or	
	Manual stitching	Rs. 1.01 paise per unit.
5.	Loading	Rs. 1.62 paise per unit.

NOTE:- Out of the charges mentioned at serial No. 3, Rs. 1.72 paise shall be paid to the weighman and Rs 0.59 paise shall be paid to the labourers engaged in Sweeping and rest Rs 3.41 Paise shall be paid to the labuourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs 0.55 paise shall be paid to the labourers engaged for this purpose.

CATEGORY 'D-I'
(PADDY - 50 KG)

- | | | |
|----|-------------------------------------|--------------------------|
| 1. | Unloading | Rs.2.78 paise per unit. |
| 2. | Power operated cleaning (per sieve) | Rs. 4.86 paise per unit. |
| 3. | Weighing & filling | Rs. 6.74 paise per unit. |
| 4. | Stitching: - | |
| | Stitching by machine | Rs. 1.34 paise per unit. |
| | Or | |
| | Manual stitching | Rs. 1.01 paise per unit. |
| 5. | Loading | Rs. 2.31 paise per unit. |

NOTE:- Out of the charges mentioned at serial No. 3, Rs 2.02 paise shall be paid to the weighman and Rs 0.67 paise shall be paid to the labourers engaged in Sweeping and rest Rs 4.04 Paise shall be paid to the labourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs 0.55 paise shall be paid to the labourers engaged for this purpose.

CATEGORY 'D-II'
(PADDY - 37.5 KG)

- | | | |
|----|-------------------------------------|--------------------------|
| 1. | Unloading | Rs.2.21 paise per unit. |
| 2. | Power operated cleaning (per sieve) | Rs. 3.90 paise per unit. |
| 3. | Weighing & filling | Rs. 6.14 paise per unit. |
| 4. | Stitching: - | |
| | Stitching by machine | Rs. 1.34 paise per unit. |
| | Or | |
| | Manual stitching | Rs. 1.01 paise per unit. |
| 5. | Loading | Rs. 1.73 paise per unit. |

NOTE:- Out of the charges mentioned at serial No. 3, Rs. 1.84 paise shall be paid to the weighman and Rs 0.62 paise shall be paid to the labourers engaged in Sweeping and rest Rs 3.68 Paise shall be paid to the labourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs 0.55 paise shall be paid to the labourers engaged for this purpose.

CATEGORY 'D-III'
(WHEAT - 30 KG),

- | | | |
|----|-------------------------------------|--------------------------|
| 1. | Unloading | Rs. 1.23 paise per unit. |
| 2. | Power operated cleaning (per sieve) | Rs. 2.18 paise per unit. |
| 3. | Weighing & filling | Rs. 3.43 paise per unit. |
| 4. | Stitching: - | |
| | Stitching by machine | Rs.1.34 paise per unit. |
| | Or | |
| | Manual stitching | Rs. 1.01 paise per unit. |
| 5. | Loading | Rs. 0.97 paise per unit. |

NOTE:- Out of the charges mentioned at serial No. 3, Rs. 1.02 paise shall be paid to the weighman and Rs 0.35 paise shall be paid to the labourers engaged in Sweeping and rest Rs 2.05 Paise shall be paid to the labourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs 0.55 paise shall be paid to the labourers

engaged for this purpose.

Note:- The rate at Serial No. 5 will only be implemented after the State Government takes a final decision to get this work done through commission agents.

CATEGORY 'E'

(ALL OTHER AGRICULTURAL PRODUCE NOT LISTED ABOVE EXCEPT FRUITS, VEGETABLES AND DRY AND GREEN FODDER)

1.	Unloading	Rs. 1.54 paise per unit.
2.	Power operated cleaning (per sieve)	Rs. 1.65 paise per unit.
3.	Weighing & filling	Rs. 3.31 paise per unit.
4.	Stitching: -	
	Stitching by machine	Rs. 1.34 paise per unit.
	Or	
	Manual stitching	Rs. 1.01 paise per unit.

NOTE:- Out of the charges mentioned at serial No. 3, Rs. 0.99 paise shall be paid to the weighman and Rs. 0.34 paise shall be paid to the labourers engaged in Sweeping and rest RS 1.97 Paise shall be paid to the labuourer engaged for this purpose.

Out of the charges mentioned at serial NO. 4, Rs. 0.55 paise shall be paid to the labourers engaged for this purpose.

CLAUSE (7) of the Bye-Law 28. Maximum two sieving operations per unit are allowed in case of manual cleaning and the rate for manual cleaning (per sieve) will be half of the rate of power operated cleaner. Only one sieving operation in case of power operated cleaner per unit is allowed. More than one power sieving operation per unit are allowed with the consent of seller as per fixed charges.

Sd/-

PARMINDER SINGH GILL (I.A.S.)

Secretary

Punjab State Agricultural Marketing Board

Mohali.

[74-1]

CHANGE OF NAME

I, Sangeeta Sehdev W/o Ranwant Singh Sehdev, Kulam Road Nawanshahr (SBS Nagar) my name was Sangeeta and now I am Sangeeta Sehdev so all name of one and same person.

[75-1]

I, Ashni Kumar S/o Gian Chand R/o Vill- Kansal, P.O. Nayagaon, Teh- Kharar, Distt. Mohali have changed my name to Ashwani Gautam.

[76-1]

I, Sukhwinder Kaur D/o Sham Singh #645/2, Sector 38A, Chandigarh changed my name Sukhwinder Narula.

[77-1]

I, Balbir Kaur alias Balweer Kaur Wife of Late Hony. Flying Officer Kulwant Singh resident of Street No. 3, House No. 80, Randhawa Colony Mukerian, District Hoshiarpur (Pb.), is to be known as only Balbir Kaur hereafter.

[78-1]